

**DEPARTMENT OF CONSUMER AFFAIRS  
LEGISLATIVE DIGEST  
2002 Legislative Session**

**A. GENERAL CONSUMER PROTECTION BILLS**

**(1) AUTOMOBILES/LEMON LAW**

<u>Bill/Author</u>	<u>Title/Description</u>	<u>Disposition</u>
<b>AB 1058 Pavley</b>	<b><u>Vehicular Emissions: Greenhouse Gases</u></b> See Page (B34)	<b>Died on Assembly Floor</b>
<b>AB 1493 Pavley</b>	<b><u>Vehicular Emissions: Greenhouse Gases</u></b> See Page (B34)	<b>Enacted Chapter #200</b>
<b>AB 2303 Runner</b>	<b><u>Vehicle Registration: Smog Certificate Validity</u></b> See Page (B34)	<b>Enacted Chapter #127</b>
<b>AB 2397 Correa</b>	<b><u>Vehicles</u></b> Prohibits various acts related to the advertising of motor vehicles by motor vehicle dealers.	<b>Enacted Chapter #947</b>
<b>AB 2457 Frommer</b>	<b><u>Rental Car Agencies</u></b> Modifies current law, for a three-year period beginning January 1, 2003, regarding disclosures that rental car companies must provide to their customers. Specifically, provides that rental car companies do not have to provide certain oral disclosures to persons who rent through the company's membership program.	<b>Enacted Chapter #948</b>
<b>AB 2461 Keeley</b>	<b><u>Taxation: Vehicle License Fees: Low-Emission Vehicles</u></b> Extends the sunset date of the existing vehicle license fee exemption on the amount by which the cost of a new light-duty motor vehicle propelled by alternative fuel exceeds the cost of a comparable vehicle fueled by either gasoline or diesel fuel from January 1, 2003, to January 1, 2009.	<b>Enacted Chapter #566</b>
<b>AB 2474 Simitian</b>	<b><u>Automotive Products</u></b> Requires engine coolant or antifreeze being sold in this state after January 1, 2004, that is manufactured after July 1, 2003, containing more than 10 % ethylene glycol (substance used as antifreeze), to have Denatonium Benzoate (bittering agent) added to the product mixture to render it unpalatable to animals.	<b>Enacted Chapter #998</b>

<b>AB 2637</b> <b>Cardoza</b>	<b><u>Air Pollution: Enhanced Motor Vehicle Inspection and Maintenance Program: San Francisco Bay Area Basin</u></b>  See Page (B34)	<b>Enacted</b> <b>Chapter #1001</b>
<b>AB 2682</b> <b>Chu</b>	<b><u>California Clean Communities and Petroleum Pollution Cleanup Act of 2002</u></b>  See Page (B34)	<b>Died in</b> <b>Assembly</b> <b>Appropriations</b> <b>Committee</b>
<b>AB 2774</b> <b>Pavley</b>	<b><u>Advanced Technology Light-Duty Vehicles</u></b>  See Page (B34)	<b>Vetoed</b>
<b>SB 91</b> <b>Figueroa</b>	<b><u>Unlicensed Vehicle Dealers</u></b>  Prohibits a person who is not licensed as a vehicle dealer or lessor-retailer from engaging in certain vehicle-related financial transactions.	<b>Enacted</b> <b>Chapter #407</b>
<b>SB 774</b> <b>Margett</b>	<b><u>Recreational Vehicles</u></b>  Would have brought the sale of recreational vehicles under the regulatory mechanism of the New Motor Vehicle Board at the DMV.	<b>Failed in</b> <b>Assembly</b> <b>Appropriations</b> <b>Committee</b>
<b>SB 1144</b> <b>Karnette</b>	<b><u>Leased Motor Vehicles: Seatbelt Requirements</u></b>  Would have made it a crime for an automobile dealer to lease or offer for lease any passenger vehicle manufactured on or after January 1, 1968, other than a motorcycle, unless it is equipped with seatbelts for each seating position.	<b>Failed First</b> <b>House</b>
<b>SB 1331</b> <b>Speier</b>	<b><u>Salvage Vehicles</u></b>  Imposes additional requirements concerning the registration of "total loss salvage vehicles" and establishes certain new definitions related to these vehicles. Deletes the January 1, 2003 sunset date authorizing a \$50 fee for inspected salvage vehicles, thus extending the fee indefinitely.	<b>Enacted</b> <b>Chapter #670</b>
<b>SB 1420</b> <b>Johannessen</b>	<b><u>Vehicles: Noise Citations</u></b>  See Page (B34)	<b>Enacted</b> <b>Chapter #569</b>
<b>SB 1578</b> <b>Johannessen</b>	<b><u>Emission Control: Specially Constructed Vehicles</u></b>  See Page (B34)	<b>Enacted</b> <b>Chapter #693</b>
<b>SB 1743</b> <b>Speier</b>	<b><u>Vehicles</u></b>  Would have provided that salvage pools must be licensed by the Department of Motor Vehicles and would have made changes to the salvage certificate with the intent of ensuring that consumers are aware of the vehicles' salvage history. Salvage pools are defined as persons engaged exclusively in the business of disposing of salvage vehicles, nonrepairable vehicles, or recovered stolen vehicles. Would have required additional inspections of salvage vehicles to increase the safety of consumers who purchase salvages vehicles.	<b>Vetoed</b>

**SB 2076**  
**Bowen**

**Vehicles**

Requires financial institutions, leasing companies, insurance companies, and others to satisfy improved disclosure requirements relating to salvage vehicles.

**Enacted**  
**Chapter #826**

**(2) BUSINESS PRACTICES**

**AB 264**  
**Correa**

**Specialty-Trade Contractors**

See Page (B9)

**Enacted**  
**Chapter #311**

**AB 356**  
**Correa**

**Health Studios**

Would have increased the monetary limit on health club contracts from \$1,000 to \$2,000, and would have allowed contracts to exceed this limit if the club operator posted a bond with the Secretary of State in the amount of \$250,000, or if the club operator had been doing business in California for more than five years. Would have exempted initiation fees or fees for optional services, i.e., personal training, from the \$2,000 limit. Would have increased the amount of time that may pass from the date a contract is entered until the agreed upon services begin from 6 months to 12 months, under specified circumstances.

**Died in**  
**Senate Rules**

**AB 372**  
**Nation**

**Home Warranty and Service Contracts**

See Page (B12)

**Failed First**  
**House**

**AB 784**  
**Hertzberg**

**Privacy Protection: Customer Records**

Would have included bank account balance information in the list of personal information that businesses are required to destroy in order to protect customers' personal information. This bill was substantially amended on June 12, 2002 and no longer pertains to DCA.

**Died in**  
**Senate Local**  
**Government**  
**Committee**

**AB 839**  
**Lowenthal**

**Unsolicited Facsimile Transmissions**

Would have enhanced existing law by enacting an absolute prohibition of the use of a fax machine to disseminate unsolicited advertising and promotional materials.

**Failed in**  
**Senate**  
**Business &**  
**Professions**  
**Committee**

**AB 1074**  
**Nakano**

**Advertising: Floral Telephone Listings**

Would have prohibited providers or vendors of floral or ornamental products or services from misrepresenting the geographic location of their business.

**Vetoed**

**AB 1336**  
**Koretz**

**Pet Shops: Consumer Information**

Places notice requirements on pet dealers by requiring pet dealers to provide consumers who purchase a dog or cat with written information about the benefits of spaying and neutering, developing a relationship with a veterinarian, and the need to comply with applicable license laws.

**Enacted**  
**Chapter #181**

<b>AB 1753 Migden</b>	<b><u>Magazine Distributors</u></b>  Requires magazine distributors to clearly and conspicuously print the expiration date on subscription renewal notices.	<b>Enacted Chapter #191</b>
<b>AB 1796 Strickland</b>	<b><u>Construction Projects: Minors</u></b>  See Page (B9)	<b>Failed Assembly Labor &amp; Employment Committee</b>
<b>AB 1822 Vargas</b>	<b><u>Construction Contractors Line of Credit and Contract Management Program</u></b>  See Page (B9)	<b>Died in Assembly Appropriation</b>
<b>AB 1839 Campbell, Bill</b>	<b><u>Indemnity: Public Agency</u></b>  See Page (B9)	<b>Died in Senate Judiciary Committee</b>
<b>AB 1856 Nation</b>	<b><u>Unsolicited Mail</u></b>  Would have prohibited California businesses from mailing unsolicited advertisements (junk mail) through the United States Postal Service.	<b>Failed on Assembly Floor</b>
<b>AB 1956 Vargas</b>	<b><u>Video Arcades</u></b>  Requires video game arcades to post a sign encouraging the use of an industry-created "traffic light" rating system (red, yellow, green) for coin-operated video game machines, and requires video arcades to provide consumers, upon request, a brochure describing the rating system.	<b>Enacted Chapter #748</b>
<b>AB 1993 Correa</b>	<b><u>Structural Pest Control Operators: Wood Destroying Pests</u></b>  See page (B36)	<b>Died in Assembly Business &amp; Professions Committee</b>
<b>AB 1995 Correa</b>	<b><u>Audits</u></b>  See page (B1)	<b>Failed Passage</b>
<b>AB 2432 Pacheco, Rod</b>	<b><u>Public Utilities: Property: Condemnation: Unauthorized Entry</u></b>  Would have prohibited public utilities from entering the real property of another prior to condemning the property without the written authorization of the property owner, unless the California Public Utilities Commission had issued a certificate of public convenience and necessity or found a preadvance need involving the property.	<b>Failed in Assembly Utilities &amp; Commerce Committee</b>
<b>AB 2473 Simitian</b>	<b><u>Gift Certificates: Bankruptcy</u></b>  Requires the issuer of a gift certificate to honor that gift certificate if the issuer files for bankruptcy.	<b>Enacted Chapter #997</b>

<b>AB 2545 Nation</b>	<b><u>Housing Code Inspections</u></b> <p>Would have required, prior to an inspection of residential rental property pursuant to a routine proactive housing code inspection program, that an officer, employee, or agent of an enforcement agency provide a written notice of the pending inspection by mail or by posting it conspicuously on the property. The notice must contain a description of the city's or county's inspection program and enforcement procedures, the date and time of the inspection, and an advisory that states officers may not enter a dwelling without permission from owners or occupants and/or a warrant.</p>	<b>Failed Senate Housing &amp; Community Development Committee</b>
<b>AB 2568 Campbell, John</b>	<b><u>Advertising</u></b> <p>Would have deleted the existing law that prohibits faxing unsolicited advertising material and would have enacted new provisions prohibiting a person from using any telephone facsimile machine, computer, or other device to send an unsolicited facsimile advertisement. Would have excluded from the definition of an unsolicited facsimile document any document that is addressed to a recipient with whom the sender has an existing business relationship or that is sent at the request of, or with the express consent of, the recipient. Also would have imposed specified fines for violations of these provisions.</p>	<b>Failed in Assembly Business &amp; Professions Committee</b>
<b>AB 2632 Daucher</b>	<b><u>Public Works Contracts: Payment Bonds</u></b> <p>See Page (B9)</p>	<b>Failed Assembly Business &amp; Professions Committee</b>
<b>AB 2724 Runner</b>	<b><u>Contractor Bonds</u></b> <p>See Page (B9)</p>	<b>Dropped by Author</b>
<b>AB 2732 Washington</b>	<b><u>Automatic Checkout Systems</u></b> <p>Requires businesses that use automatic checkout systems to ensure that the price of the good or service registered by the computer is conspicuously displayed to the consumer. Intends to protect consumers from retail stores that overcharge for purchases scanned via automatic checkout systems.</p>	<b>Enacted Chapter #818</b>
<b>AB 2816 Shelley</b>	<b><u>Workers' Compensation: Contractors: Temporary Labor</u></b> <p>See Page (B9)</p>	<b>Enacted Chapter #1098</b>
<b>AB 2820 Cardenas</b>	<b><u>Unsolicited Facsimiles</u></b> <p>Would have deleted the state law governing unsolicited advertising faxes and would have permitted such faxes to be sent to individuals or businesses which were not on the Attorney General's "Do Not Call" list.</p>	<b>Failed in Senate Business &amp; Professions Committee</b>
<b>AB 2870 Harman</b>	<b><u>Building Inspections: Liability</u></b> <p>See Page (B9)</p>	<b>Failed Assembly Judiciary Committee</b>

<b>AB 2873</b> <b>Frommer</b>	<b><u>Accounting</u></b>  See Page (B1)	<b>Enacted</b> <b>Chapter #230</b>
<b>AB 2944</b> <b>Kehoe</b>	<b><u>Advertising: Facsimile Machines</u></b>  Repeals California's opt-out junk fax law in order to clarify that the much stronger federal prohibitions on unsolicited faxes are not superceded by California's more permissive law.	<b>Enacted</b> <b>Chapter #700</b>
<b>AB 2970</b> <b>Wayne</b>	<b><u>Accounting: Audits</u></b>  See Page (B1)	<b>Enacted</b> <b>Chapter #232</b>
<b>SB 91</b> <b>Figueroa</b>	<b><u>Unlicensed Vehicle Dealers</u></b>  See Page (A1)	<b>Enacted</b> <b>Chapter #407</b>
<b>SB 170</b> <b>Escutia</b>	<b><u>Insurers: Data Call: Enforcement</u></b>  See Page (A1)	<b>Enacted</b> <b>Chapter</b> <b>#1076</b>
<b>SB 500</b> <b>Torlakson</b>	<b><u>Retail Merchandise Utilities &amp; Cable TV: Delivery Service &amp; Repair Times</u></b>  Enhances consumers' rights in regard to acceptable time frames for home delivery, service connection, or repair appointments by retailers and cable television/utility companies with 25 or more employees by requiring providers and consumers to agree to a four-hour time period in which the delivery, service or repair will take place and establishing notification procedures to be followed if the service appointment is delayed.	<b>Enacted</b> <b>Chapter #279</b>
<b>SB 628</b> <b>Figueroa</b>	<b><u>Consumer Warranties and Service Contracts</u></b>  Would have placed additional disclosure requirements regarding repair information on consumer warranties and service contracts. Specifically, this bill would have: 1) required consumer warranties to contain 12-point boldface type regarding repair information, and 2) required service contracts to indicate whether or not the merchandise can be repaired and picked up at the retail store of purchase.	<b>Failed First</b> <b>House</b>
<b>SB 1102</b> <b>Alarcon</b>	<b><u>Architectural and Engineering Services for Public Contracts</u></b>  See Page (B3)	<b>Failed First</b> <b>House</b>
<b>SB 1144</b> <b>Karnette</b>	<b><u>Leased Motor Vehicles: Seatbelt Requirements</u></b>  See Page (A1)	<b>Failed First</b> <b>House</b>
<b>SB 1240</b> <b>Figueroa</b>	<b><u>Advertising</u></b>  Extends existing law that prohibits the use of government-related logos, words, or symbols on advertisements. Applies to solicitations made via Internet web sites and e-mail.	<b>Enacted</b> <b>Chapter #319</b>

<b>SB 1282 Haynes</b>	<p><b><u>California Consumer Power and Conservation Financing Authority</u></b></p> <p>Would have made a technical, nonsubstantive change to the California Consumer Power and Conservation Financing Authority Act which establishes the California Consumer Power and Conservation Financing Authority and prohibits the authority from investing in any nuclear facilities or developing additional hydroelectric facilities without first receiving specific statutory authorization to do so on a project-by-project basis.</p>	<b>Died on Senate Floor</b>
<b>SB 1332 Figueroa</b>	<p><b><u>Home Inspectors</u></b></p> <p>Would have specified the requirements that a home inspector must meet to be entitled to use the term "certified home inspector"; made it an unfair business practice for an individual to refer to himself or herself as a "certified home inspector" unless he or she has met those requirements; and established disclosure statements that must be provided to prospective clients prior to any home inspection.</p>	<b>Failed Assembly Business &amp; Professions Committee</b>
<b>SB 1357 Vincent</b>	<p><b><u>Pet Shops: Consumer Information</u></b></p> <p>Requires a retail business that sells pet animals to provide written recommendations regarding the generally accepted care, housing, equipment, cleaning, environment, and feeding of that animal.</p>	<b>Enacted Chapter #710</b>
<b>SB 1358 Bowen</b>	<p><b><u>Advertising: Facsimile Machine</u></b></p> <p>Would have deleted the existing state law prohibition relative to the faxing of unsolicited advertising material to make clear that the stronger federal law was enforceable in California. Upon defeat, the language from this bill was put into AB 2944 (Kehoe) which was enacted.</p>	<b>Failed in Assembly Business &amp; Professions Committee</b>
<b>SB 1373 O'Connell</b>	<p><b><u>Dogs and Cats: Registration and Microchipping</u></b></p> <p>Would have required pet dealers and breeders to register annually with the local animal control agency before being able to sell a dog or cat less than one year old. Pet dealers and breeders would have had to list the corresponding registration number in advertisements for the sale of the dog or cat, and ensure that the animal has been microchipped with the owner's identifying information. Would have allowed the local animal control agency to charge a registration fee in excess of actual costs in order to fund programs relating to pet overpopulation.</p>	<b>Failed on Senate Floor</b>
<b>SB 1527 Burton</b>	<p><b><u>Accountants</u></b></p> <p>See Page (B1)</p>	<b>Failed in Assembly Business &amp; Professions Committee</b>



**AB 36  
Steinberg**

**Secrecy Agreements: Public Information**

**Died in Senate  
Rules**

Would have prohibited secrecy agreements in lawsuits based on bodily injury or wrongful death allegedly caused by a defective product or an environmental hazard in order to better protect consumers from injury or death caused by defective products or environmental hazards. Also would have created a presumption that specified information acquired through discovery or contained in settlement agreements and confidentiality agreements not filed with the court is public information and may not be kept confidential pursuant to an agreement of the parties. SB 11 is a similar bill. See page (A3).

**AB 164  
Harman**

**Special Education: Alternative Dispute Resolution**

**Vetoed**

Would have required the State Department of Education to establish a statewide program of grant funding in support of special education alternative dispute resolution programs that meet specified criteria.

**AB 227  
Dutra**

**Unclaimed Property: Escheat**

**Enacted  
Chapter #22**

Extends the deadline for participating in an amnesty program which provided relief from interest penalties for holders of unclaimed property who were delinquent in their duty to turn over property to the state.

**AB 267  
Steinberg**

**Construction Defects**

**Died at Senate  
Desk**

See page (B9)

**AB 363  
Steinberg**

**Public Attorneys: Whistleblower Protections**

**Vetoed**

See Page (C2)

**AB 421  
Wayne**

**Depositions: Recording**

**Vetoed**

Would have provided that a person who videotapes a deposition for use at trial need not meet the qualifications of a deposition officer. Also would have provided that the videographer may be an attorney, or may be an employee or independent contractor retained by the attorney taking the deposition.

**AB 543  
Vargas**

**Mechanics' Liens**

**Died in Senate  
Rules**

See Page (B9)

**AB 568  
Dutra**

**Mechanics' Liens**

**Died - Sent to  
Interim Study**

See Page (B9)

**AB 728  
Correa**

**Contractors: Arbitration of Disputes**

**Enacted  
Chapter #312**

See Page (B9)



<b>AB 752 Briggs</b>	<b><u>Advertising Legal Services for Construction Defects</u></b> See Page (B9)	<b>Failed First House</b>
<b>AB 881 Simitian</b>	<b><u>Confidential Information in Settlement Agreements</u></b> Would have provided that information not subject to disclosure in a court action may be sent to and reviewed by a governmental agency that is responsible for regulating the subject matter of the information, such as defective products or environmental hazards. This is one of three bills, including AB 36 and SB 11, that addresses confidentiality of settlement agreements.	<b>Failed in Assembly Judiciary Committee</b>
<b>AB 1106 Pescetti</b>	<b><u>Notaries Public: Escrow Instruments</u></b> Would have required that any escrow instrument purporting to obligate a third party in an amount over \$10,000 on behalf of a party to a real estate transaction, be acknowledged before a notary public.	<b>Died in Senate Judiciary Committee</b>
<b>AB 1698 Committee on Judiciary</b>	<b><u>Legal Assistants</u></b> Makes changes to the registration of legal document assistants (LDA) and eliminates the sunset date on the existing LDA registration program.	<b>Enacted Chapter #1018</b>
<b>AB 1699 Steinberg</b>	<b><u>Arbitration</u></b> Would have required an arbitration provider organization, if it was involved in the administration of an arbitration, to make available, upon the request of a party to the arbitration, its policy regarding issuance of written decisions.	<b>Failed in Senate Judiciary Committee</b>
<b>AB 1772 Harman</b>	<b><u>Notice to Owners of Unclaimed Property.</u></b> Prescribes the notice and information that a bank or financial institution must give to owners of financial accounts that are about to escheat to the State under the Unclaimed Property Law (UPL). The same notice is required of other holders of tangible and intangible property subject to the Unclaimed Property Laws. This statute becomes operative January 1, 2004.	<b>Enacted Chapter #813</b>
<b>AB 1839 Campbell, Bill</b>	<b><u>Indemnity: Public Agency</u></b> See Page (B9)	<b>Died in Senate Judiciary Committee</b>
<b>AB 1981 Simitian</b>	<b><u>Discovery</u></b> Would have provided that, in a court action pertaining to a defective product or environmental hazard, as defined, a party may file a noticed motion for an order of the court permitting specific items or information subject to a protective order to be sent to a California state or federal governmental agency responsible for regulating or monitoring the subject matter contained in the items or information protected.	<b>Failed in Assembly Judiciary Committee</b>

<b>AB 1999 Correa</b>	<b><u>Immigration Consultants</u></b>  Authorizes the Attorney General (AG), the District Attorney (DA), and the City Attorneys to seek civil penalties in prosecuting cases in violation of the Immigration Consultants Act. Additionally, it specifically states that the AG, DA and City Attorney may bring civil actions for injunctive relief on behalf of the general public and, upon prevailing, recover reasonable attorneys' fees and costs.	<b>Enacted Chapter #705</b>
<b>AB 2055 Pacheco, Robert</b>	<b><u>Attorney Work Product</u></b>  Conforms state law to federal law which states that attorney work product protection does not apply when an attorney is suspected of a crime or fraud. Also provides that the statute of limitations would be suspended during the time when issues relating to the attorney-client privilege or the work product privilege are litigated.	<b>Enacted Chapter #1059</b>
<b>AB 2216 Keeley</b>	<b><u>Intestate Succession: Domestic Partners</u></b>  Establishes intestate succession rights of domestic partners. Expands the legal rights of a registered domestic partner to include the right to inherit property if one partner dies without a will and contains a notification requirement by the Secretary of State to inform registered domestic partners and domestic partner applicants of this change.	<b>Enacted Chapter #447</b>
<b>AB 2291 Campbell, John</b>	<b><u>Legal Representation in Class Actions</u></b>  Would have required an attorney seeking to represent an individual in a class action to first provide the court with written authorization from that person, as specified. Also would have required an attorney representing any party to a class action to provide every prospective client a good faith fee estimate, as specified.	<b>Failed Assembly Judiciary Committee</b>
<b>AB 2493 Pacheco, Robert</b>	<b><u>Service of Process</u></b>  Updates four provisions of law dealing with the work of process servers (individuals who deliver legal papers in legal proceedings, and are either registered or a government official, such as a deputy sheriff, marshal or constable). Clarifies and updates procedural requirements regarding service of process (i.e. the prescribed method of delivering specified legal documents).	<b>Enacted Chapter #197</b>
<b>AB 2504 Jackson</b>	<b><u>Judges: Arbitration</u></b>  Requires the disqualification of any judge who has arranged for future employment or other compensated service as a dispute resolution neutral or arbitrator, or who has had within the previous two years a discussion regarding that prospective employment or service. Requires an appointed neutral private arbitrator be required to make a disclosure of any similar arrangement or discussion.	<b>Enacted Chapter #1094</b>
<b>AB 2517 Chan</b>	<b><u>Estate Planning Services: Financial Products</u></b>  Would have regulated the sale of financial products by people providing estate planning services, which it would have defined as preparing, drafting, selecting, reviewing, explaining, or giving advice concerning an estate planning document.	<b>Failed in Assembly Judiciary Committee</b>

<b>AB 2574</b> <b>Harman</b>	<b><u>Arbitration: Conflicts of Interest</u></b>  Prohibits financial conflicts of interest between private judging companies and the parties they serve in consumer arbitrations.	<b>Enacted</b> <b>Chapter #952</b>
<b>AB 2656</b> <b>Corbett</b>	<b><u>Arbitration: Private Arbitration Companies</u></b>  Requires private arbitration companies to collect and provide to the public specified data regarding the type, quantity, and certain particulars of consumer arbitrations they administer.	<b>Enacted</b> <b>Chapter #1158</b>
<b>AB 2693</b> <b>Wyman</b>	<b><u>Contractors: Limited Recovery</u></b>  See Page (B9)	<b>Failed Senate</b> <b>Judiciary</b> <b>Committee</b>
<b>AB 2713</b> <b>Cox</b>	<b><u>Professional Negligence</u></b>  See Page (B3)	<b>Failed</b> <b>Assembly</b> <b>Judiciary</b> <b>Committee</b>
<b>AB 2723</b> <b>Washington</b>	<b><u>Evidence: Admissibility</u></b>  Extends the rule of evidence to the admissibility of evidence of an admission of liability in proceedings pursuant to the Administrative Procedure Act.	<b>Enacted</b> <b>Chapter #92</b>
<b>AB 2756</b> <b>Canciamilla</b>	<b><u>Paralegals</u></b>  Would have required that a person represent himself or herself as a paralegal in order to be considered a paralegal and that the person be qualified by education, training, or work experience to be a paralegal. Also would have authorized a paralegal to perform specified tasks if the paralegal has been instructed to do so by a supervising attorney or has been authorized to do so by administrative, statutory, or court authority.	<b>Failed in the</b> <b>Assembly</b> <b>Judiciary</b> <b>committee.</b>
<b>AB 2757</b> <b>Calderon</b>	<b><u>Construction Defects Notice to Builders: Right to Repair</u></b>  See Page (B9)	<b>Failed in</b> <b>Assembly</b> <b>Judiciary</b> <b>Committee</b>
<b>AB 2914</b> <b>Wiggins</b>	<b><u>Attorneys: Bankruptcy</u></b>  Would have required any attorney engaged in the private practice of law in this state to disclose to a prospective client prior to undertaking a case on behalf of the client whether the attorney or the law firm or law corporation for which he or she works is currently filing for bankruptcy or has filed for bankruptcy within the last 7 years.	<b>Failed in</b> <b>Assembly</b> <b>Judiciary</b> <b>Committee</b>
<b>AB 2915</b> <b>Wayne</b>	<b><u>Arbitration</u></b>  Enacts rules for mandatory consumer arbitration fees. Prohibits "loser-pays" policies under which non-prevailing consumers are required to pay the fees and costs of the business entity they have entered arbitration with, and implements administrative fee waivers for indigent consumers, consistently with the longstanding practice of courts.	<b>Enacted</b> <b>Chapter</b> <b>#1101</b>

<b>AB 2939</b> <b>Pescetti</b>	<b><u>Attorneys: Legal Consumers' Protection Act</u></b>  Would have enacted the Legal Consumers' Protection Act, which would have required a contingency fee attorney to make certain disclosures and report to a potential or existing client regarding (1) chances of success in the case, (2) estimated and actual attorney hours, (3) estimated fees, and (4) other fee information.	<b>Failed in Assembly Judiciary Committee</b>
<b>AB 2949</b> <b>Wayne</b>	<b><u>Small Claims Court: Jurisdiction</u></b>  Makes void and unenforceable any agreement entered into or renewed on or after January 1, 2003 that establishes a forum outside of California for an action arising from a consumer contract that is otherwise within the jurisdiction of a small claims court of this state.	<b>Enacted Chapter #247</b>
<b>AB 3028</b> <b>Judiciary Committee</b>	<b><u>Court Procedures</u></b>  Makes technical clean-up and conforming amendments, addressing numerous miscellaneous issues pertaining to court administration and operations.	<b>Enacted Chapter #1008</b>
<b>AB 3029</b> <b>Steinberg</b>	<b><u>Consumer Arbitration Agreements: Private Arbitration Companies</u></b>  Would have provided consulting and solicitation rules for arbitration companies and self-regulatory organizations involved in consumer arbitrations.	<b>Vetoed</b>
<b>AB 3030</b> <b>Corbett</b>	<b><u>Arbitration</u></b>  Prescribes a penalty, at the discretion of the court, in the form of disgorgement (loss) of fees obtained by a private arbitration company in violation of ethical rules established by the other bills in the Assembly Judiciary Committee's arbitration bill package (AB 2574, AB 2915, and AB 3029). □	<b>Enacted Chapter #1159</b>
<b>AB 3031</b> <b>Judiciary Committee</b>	<b><u>Direct Evidence</u></b>  Would have made a technical, nonsubstantive change to the definition of direct evidence.	<b>Died on Assembly Floor</b>
<b>ACR 123</b> <b>Wayne</b>	<b><u>California Law Revision Commission: Studies</u></b>  Grants approval to the commission to continue its study of designated topics that the Legislature previously authorized or directed the commission to study.	<b>Enacted R-Chapter #166</b>
<b>SB 11</b> <b>Escutia</b>	<b><u>Secrecy Agreements: Court Review</u></b>  Would have prohibited stipulated protective orders without court review and private secrecy agreements in lawsuits based on great bodily injury or wrongful death allegedly caused by a defective product or an environmental hazard. Sponsored by the Attorney General and the Consumer Attorneys of California, this bill was intended to better protect Californians from injury or death caused by defective products or environmental hazards. AB 36 is a similar bill. See page <b>(A3)</b>	<b>Died on Assembly Floor</b>

<b>SB 109 Ackerman</b>	<b><u>Unfair Practices: Representative Civil Actions</u></b> <p>Would have prohibited private attorneys representing their own interests or acting on the behalf of the public from bringing additional civil actions against a company for unfair business practices on which a settlement or judgement has already been made on the same issue.</p>	<b>Failed in Senate Judiciary Committee</b>
<b>SB 110 Dunn</b>	<b><u>Contracts: Breach of Confidentiality: Proprietary Information</u></b> <p>Would have authorized, as of a specified date, the filing or maintenance of a claim in small claims court of no less than \$825, as defined, by an assignee, provided the assignee reduces his or her claim by 10% and pays a special filing fee, to be distributed as specified.</p>	<b>Failed on Assembly Floor</b>
<b>SB 170 Escutia</b>	<b><u>Insurers: Data Call: Enforcement</u></b> <p>See Page (A1)</p>	<b>Enacted Chapter #1076</b>
<b>SB 355 Escutia</b>	<b><u>Liability: Construction Defects</u></b> <p>See page (B9)</p>	<b>Died in Assembly Judiciary Committee</b>
<b>SB 371 Escutia</b>	<b><u>Courts: Interpreters</u></b> <p>See page (C2)</p>	<b>Enacted Chapter #1047</b>
<b>SB 800 Burton</b>	<b><u>Liability: Construction Defects</u></b> <p>See page (B9)</p>	<b>Enacted Chapter #722</b>
<b>SB 805 McPherson</b>	<b><u>Court Reporters: Depositions</u></b> <p>See page (B10)</p>	<b>Failed in Assembly Judiciary Committee</b>
<b>SB 938 Margett</b>	<b><u>Works of Improvement: Liens</u></b> <p>See Page (B9)</p>	<b>Failed Assembly Judiciary Committee</b>
<b>SB 1271 Ackerman</b>	<b><u>Nonprobate Transfers: Uniform TOD Security Registration Act</u></b> <p>Allows trust companies and trust departments of banks to issue and register securities under the Uniform transfer on death (TOD) Securities Registration Act.</p>	<b>Enacted Chapter #67</b>
<b>SB 1322 Ackerman</b>	<b><u>Debtor and Creditor Relations</u></b> <p>Resolves several incongruities in the law regarding the execution of pre-judgment writs of possession and post-judgment seizures of property to satisfy a judgment.</p>	<b>Enacted Chapter #68</b>

<b>SB 1325</b> <b>Kuehl</b>	<b><u>Personal Jurisdiction: General Appearance</u></b>  Permits a defendant or cross-defendant to move to quash service of summons, move to stay or dismiss the action on the grounds of inconvenient forum, or move to dismiss for delay in prosecution, and simultaneously answer, demur, or move to strike the complaint or cross-complaint. Also specifies certain circumstances under which a party is not deemed to have made a general appearance for purposes of a court exercising its jurisdiction.	<b>Enacted</b> <b>Chapter #69</b>
<b>SB 1406</b> <b>Kuehl</b>	<b><u>Mediation Proceedings</u></b>  Would have enacted alternative provisions that would become operative only upon the appropriation of funds in the annual Budget Act, that would require the notice of mediation to state that all proceedings involving the mediator and the disputing parties shall be kept confidential between the mediator and the disputing parties and that the mediator may not make a recommendation to anyone other than the disputing parties, except as specified.	<b>Died in Senate</b> <b>Rules</b>
<b>SB 1420</b> <b>Johannessen</b>	<b><u>Vehicles: Noise Citations</u></b>  <b>See Page (B34)</b>	<b>Enacted</b> <b>Chapter #569</b>
<b>SB 1459</b> <b>Romero</b>	<b><u>Unauthorized Practice of Law</u></b>  Enhances the misdemeanor penalties provided under existing law for any person who advertises or holds himself or herself out as practicing or entitled to practice law who is not an active member of the State Bar.	<b>Enacted</b> <b>Chapter #394</b>
<b>SB 1575</b> <b>Sher</b>	<b><u>Wills and Trusts: Prohibited Transferees: Exceptions</u></b>  Makes some clarifying changes to the rule that voids transfers made through an instrument or will to specified persons who are disqualified due to a fiduciary relationship with the transferor.	<b>Enacted</b> <b>Chapter #412</b>
<b>SB 1707</b> <b>Judiciary</b> <b>Committee</b>	<b><u>Arbitration: Standards of Ethics</u></b>  Clarifies that the ethics standards adopted for arbitrators in private contractual arbitration proceedings do not apply to public or private sector labor relations arbitration conducted pursuant to a collective bargaining agreement.	<b>Enacted</b> <b>Chapter #176</b>
<b>SB 1878</b> <b>Poochigian</b>	<b><u>Will Contests</u></b>  Clarifies what actions constitute a contest for purposes of giving effect to or invalidating a no contest clause in a will, trust, or other estate planning instrument. The bill further lists actions that may not be considered "contests" as a matter of public policy, and provides exceptions to this rule.	<b>Enacted</b> <b>Chapter #150</b>
<b>SB 1897</b> <b>Kuehl</b>	<b><u>State Bar of California</u></b>  Makes various changes to the State Bar Act regarding the Bar's internal structure and operations. Among these changes, enables the Bar to offer California's attorneys options such as online voting for members of the Bar's Board of Governors. Also provides for the transition to separate the Conference of Delegates from the Bar.	<b>Enacted</b> <b>Chapter #415</b>

## (4) CREDIT & FINANCIAL SERVICES

**AB 21  
Leslie**

### **Financial Privacy: Opt-Out**

Would have addressed financial privacy issues by requiring financial institutions to allow consumers to opt-out of having their personal information disclosed to third parties and affiliates. Also would have provided for oversight of financial privacy practices by the Department of Financial Institutions.

**Failed in  
Assembly  
Judiciary  
Committee**

**AB 203  
Jackson**

### **Financial Privacy: Opt-In**

Would have addressed personal privacy issues by requiring financial institutions to obtain prior written consent from consumers (opt-in) to authorize disclosure of their personal information to third parties. Also would have provided court penalties and administrative fines for financial institutions that disclose their customers' personal information without proper consent, as well as civil remedies for consumers who are harmed by unauthorized disclosures.

**Failed in  
Assembly  
Banking and  
Finance  
Committee**

**AB 371  
Koretz**

### **Free Consumer Credit Reports**

Would have required consumer credit reporting agencies to notify consumers that the credit reporting agency will provide them with a free copy of their credit report when, within a 60-day period, the credit reporting agency receives five credit inquiries pertaining to the consumer, excluding prescreened or unsolicited pre-approved credit applications.

**Died in  
Assembly  
Business and  
Professions  
Committee**

**AB 714  
Firebaugh**

### **Money Transmitters: Transmission of Money Abroad**

Was intended to provide enhanced consumer protections relating to money transmitters by requiring more consumer disclosures and requiring money transmitters to provide the Department of Financial Institutions with quarterly reports on their exchange rates and exchange "spreads". Would have required the disclosure of exchange rates and fees charged by the money transmitter, and would have entitled consumers to receive refunds under specified circumstances.

**Died in Senate  
Banking,  
Commerce &  
International  
Trade  
Committee**

**AB 1068  
Wright**

### **Consumer Credit Reporting Agencies and Investigative Consumer Reporting Agencies: Technical Cleanup**

Clarifies and modifies various provisions in the Consumer Credit Reporting Agencies Act and the Investigative Consumer Reporting Agencies Act as cleanup to last year's AB 655 (Wright, Chapter 354, Statutes of 2001) by the same author.

**Enacted  
Chapter #1030**

**AB 1531  
Kehoe**

### **Consumer Credit**

Clean-up legislation that corrects the inadvertent chaptering-out of last year's AB 488 (Kehoe, Chapter 236, Statutes of 2001) by the subsequent signing of AB 655 (Wright, Chapter 354, Statutes of 2001) that affected the same section of the Civil Code.

**Enacted  
Chapter #9**

<b>AB 1581 Frommer</b>	<b><u>Payday Loans</u></b> <p>Would have revised payday loan laws to increase consumer protections and placed more requirements on lenders. SB 898 is a similar bill that was enacted. See page (A4)</p>	<b>Died in Assembly Rules Committee</b>
<b>AB 2161 Maddox</b>	<b><u>Investigative Consumer Reports: Crimes</u></b> <p>Would have allowed an investigative consumer report to include a felony committed by the subject longer than seven years ago, and also would have permitted a report to contain conviction information when a full pardon was granted, both of which are not permitted to be included in a report under existing law. Investigative consumer reports are used to screen applicants for a variety of reasons, including employment or housing.</p>	<b>Failed in Senate Public Safety Committee</b>
<b>AB 2293 Liu</b>	<b><u>Consumer Credit Counseling Organizations</u></b> <p>Requires the Department of Corporations to conduct a study of the consumer credit counseling industry in California and to make certain recommendations to the Legislature by March 1, 2003. Also establishes new regulatory provisions relating to debt management or credit counseling services, including limitations on what fees can be charged and prohibiting up-front fees.</p>	<b>Enacted Chapter #779</b>
<b>AB 2573 Runner</b>	<b><u>Investigative Consumer Reporting Agencies: Written Statements of Theft</u></b> <p>Would have permitted an investigative consumer reporting agency to report to a potential or current employer that a person committed a theft if s/he voluntarily signed a written statement admitting to the theft, under specified conditions.</p>	<b>Died in Senate Public Safety Committee</b>
<b>AB 2868 Wright</b>	<b><u>Investigative Consumer Reporting Agencies</u></b> <p>Makes various revisions to last year's AB 655 (Wright, Chapter 354, Statutes of 2001) by the same author regarding investigative consumer reports that are used as a basis for offering employment, housing and insurance. Clarifies and modifies various provisions in the law relating to investigative consumer reporting agencies (ICRAs) and the information contained in the ICRA reports. Also provides a qualified privilege to an employer's statement as to whether or not the employer would rehire a current or former employee.</p>	<b>Enacted Chapter #1029</b>
<b>ACR 125 Papan</b>	<b><u>Financial Privacy Study</u></b> <p>Requests and authorizes the California Law Revision Commission to study, report on, and prepare recommended legislation concerning the protection of personal information relating to or arising out of financial transactions by January 1, 2005, subject to funding in the 2002-03 Budget Act specified for this purpose.</p>	<b>Enacted R-Chapter #167</b>
<b>SB 387 Johnson</b>	<b><u>Consumer Credit Reports: Information to Consumers</u></b> <p>Would have required consumer credit reporting agencies, when providing consumers with decoded written versions of their files, to provide that information in easily understood language.</p>	<b>Died in Senate Judiciary Committee</b>



<b>SB 608 Dunn</b>	<p><b><u>Mortgages: Home Loan Protection</u></b></p> <p>Would have enacted the Home Loan Protection Act, which would have created consumer protections related to predatory home lending practices by prohibiting such practices by certain lenders and requiring such lenders to follow a specified procedure in assessing a potential borrower's ability to repay the loan. Also would have addressed civil remedies and required the Attorney General to act as a central clearinghouse for complaints against lenders and possible violations of the Act.</p>	<b>Died in Senate Banking, Commerce &amp; International Trade Committee</b>
<b>SB 773 Speier</b>	<p><b><u>Financial Institutions: Confidential Consumer Information</u></b></p> <p>Would have enacted the California Financial Information Privacy Act, which would have required financial institutions to provide a written form to consumers relative to the sharing of the consumer's confidential personal information. Would have required financial institutions to obtain prior customer consent before sharing confidential consumer information with <i>nonaffiliated third parties</i> (opt-in), and would have allowed consumers to indicate that they do not want their confidential consumer information shared with <i>affiliates</i> (opt-out).</p>	<b>Failed on Senate Floor</b>
<b>SB 898 Perata</b>	<p><b><u>Check Cashers: Deferred Deposit Transactions</u></b></p> <p>Enacts the California Deferred Deposit Transaction Law to regulate persons engaged in the business of making or negotiating deferred deposit transactions and requires them to be licensed by the Department of Corporations.</p>	<b>Enacted Chapter #777</b>
<b>SB 1237 Speier</b>	<p><b><u>Account Identifier: Mother's Maiden Name</u></b></p> <p>Would have helped prevent fraudulent activity related to identity theft by prohibiting banks from requiring or using an individual's mother's maiden name as a key identifier for establishing or accessing bank accounts. Mother's maiden name is easily acquired through public records and can be used in identity theft cases to fraudulently access financial accounts.</p>	<b>Failed in Assembly Banking and Finance Committee</b>
<b>SB 1239 Figueroa</b>	<p><b><u>Consumer Credit Reporting Agencies: Free Credit Reports</u></b></p> <p>Requires consumer credit reporting agencies (CRAs) to provide identity theft victims with up to 12 free credit reports per year (one per month) upon submission of a valid police or DMV investigative report of identity theft. Requires CRAs to provide written notice of an identity theft's statutory rights under the Consumer Credit Reporting Agencies Act to potential identity theft victims and requires CRAs to include information in the statement of statutory rights required under current law to inform consumers of their rights as an identity theft victim.</p>	<b>Enacted Chapter #860</b>
<b>SB 1617 Karnette</b>	<p><b><u>Substitute Credit Cards</u></b></p> <p>Requires a credit card issuer that issues a substitute credit card to provide an activation process where consumers are required to contact the card issuer to activate the credit card before it can be used.</p>	<b>Enacted Chapter #862</b>

**SB 1730  
Bowen**

**Personal Information**

Cleanup measure makes technical changes to last year's SB 168 (Bowen, Chapter 720, Statutes of 2001) by the same author by making clarifying changes to the provisions enacted in SB 168 that permitted security freezes on credit files and that restricted the use of Social Security numbers.

**Enacted  
Chapter #786**

**(5) HEALTH & SAFETY**

**AB 359  
Cardoza**

**Pool and Spa Safety**

See page (B9)

**Failed in  
Senate Health  
& Human  
Services  
Committee**

**AB 1362  
Wiggins**

**Buildings: Rehabilitation**

See page (B9)

**Died in Senate  
Housing &  
Community  
Development  
Committee**

**AB 2455  
Negrete  
McLeod**

**Swimming Pool Safety**

See page (B9)

**Failed in  
Senate  
Appropriations  
Committee**

**AB 2816  
Shelley**

**Workers' Compensation: Contractors: Temporary Labor**

See Page (B9)

**Enacted  
Chapter #1098**

**SB 332  
Sher**

**Building Standards: Straw-Bale Structures**

See Page (B9)

**Enacted  
Chapter #31**

**SB 384  
Burton**

**Gas Appliance Safety**

Would have enacted the Gas Appliance Safety Act of 2001 to require the installation of specified excess flow valves to automatically shut off the flow of gas to household gas appliances when a significant gas leak occurs or an overpressure surges. Also would have required the installation of excess flow valves by a licensed contractor whenever a building is newly constructed, reconstructed, or sold and require the Division of the State Architect to certify that the valves meet certain standards.

**Failed First  
House**

**SB 1144  
Karnette**

**Leased Motor Vehicles: Seatbelt Requirements**

See page (A1)

**Failed First  
House**

**SB 1726  
Vasconcellos**

**Pool and Spa Safety**

See Page (B9)

**Enacted  
Chapter #679**

**SB 1734  
Vasconcellos**

**Clean Needle and Syringe Exchange**

See Page (B25)

**Vetoed**

See page (B25)

**(6) HEALTH CARE/HEALTH MAINTENANCE  
ORGANIZATIONS /MANAGED CARE**

AB 338  
Correa

**Nursing Education: Orange County Demonstration Project**

See page (B31)

Failed in  
Senate  
Appropriations  
Committee

AB 982  
Firebaugh

**Health Care**

See page (B11)

Enacted  
Chapter #1131

AB 1045  
Firebaugh

**Healing Arts: Practice**

See page (B11)

Enacted  
Chapter #1157

AB 1140  
Thomson

**Shortage of Registered Nurses**

See page (B31)

Enacted  
Chapter #1089

AB 1158  
Cardenas

**Medical Professionals: Sex Offenses**

See Page (B19)

Died on  
Assembly Floor

AB 1321  
Aroner

**Health Care**

Would have created the Health Utilities Board, which would have been charged with providing comprehensive, quality health care to all Californians and controlling health care costs through rate-setting, eliminating waste and inefficiency, and achieving public accountability for meeting standards of high quality care.

Died on  
Assembly Floor

AB 1562  
Aanestad

**Telemedicine: Incentives**

See Page (B19)

Died at  
Assembly Desk

AB 1745  
Nakano

**Emergency Services: Registry: Physicians**

See Page (B19)

Failed Assembly  
Appropriations  
Committee

AB 1787  
Reyes

**Hospitals: Study Regarding Consolidation**

Would have required the establishment of a workgroup by the Office of Statewide Health Planning and Development to address and report on specified issues, to develop a plan regarding the opening of a consolidated hospital, and to develop suggested legislation to problems outlined in the report and plan. Also would have required the workgroup to submit its report and plan to the Legislature no later than January 1, 2004.

Failed Senate  
Health & Human  
Services  
Committee

<b>AB 1853</b> <b>Koretz</b>	<b><u>Health Care: Drug Costs</u></b>  Would have required the State Department of Health Services, with regard to the purchase of any drug required in the treatment of life-threatening chronic conditions, to require the drug manufacturer to disclose to the department all costs incurred in the marketing of the drug to consumers and physicians, and would limit the price of any drug to which that requirement applies, as prescribed.	<b>Failed Senate Health &amp; Human Services Committee</b>
<b>AB 1914</b> <b>Kehoe</b>	<b><u>Hearing Aids</u></b>  See page (B16)	<b>Enacted Chapter #704</b>
<b>AB 1946</b> <b>Corbett</b>	<b><u>Written Materials for Patients</u></b>  Requires specified printed materials that are provided to a patient by a general acute care hospital, skilled nursing, intermediate care, or nursing facility, or residential care facility for the elderly, to be printed in at least a 12-point font that is clear and legible. Further, requires that, upon admission of a patient, the facility shall ask if the patient wishes specified patients' rights information to be provided to the patient's next of kin or agent under a durable power of attorney for health care, and to provide that information if the patient so directs.	<b>Enacted Chapter #550</b>
<b>AB 2067</b> <b>Nakano</b>	<b><u>Nuclear Emergencies: Exposure to Radioactive Iodine</u></b>  Requires the State Department of Health Services (DHS) to work with the potassium iodide (KI) working group, coordinated by the Office of Emergency Services, to develop and implement a program to oversee the distribution of KI tablets to all persons who reside, work, visit, or attend school within the state-designated emergency planning zone of an operational nuclear powerplant, in the event of an accident causing leakage of radioactive iodine. Requires DHS to report to the Governor and Legislature regarding these programs by December 31, 2003, and provides that its provisions would only be implemented to the extent that funds are appropriated for that purpose.	<b>Enacted Chapter #852</b>
<b>AB 2194</b> <b>Jackson</b>	<b><u>Obstetrics and Gynecology Residency Requirements</u></b>  See Page (B19)	<b>Enacted Chapter #384</b>
<b>AB 2480</b> <b>Wyman</b>	<b><u>Blood Tests</u></b>  Would have allowed a certified phlebotomy technician to withdraw blood in any location and without direct supervision, at the direction and in the presence of a peace officer, for alcohol and drug testing in the context of a driving under the influence (DUI) investigation.	<b>Failed Assembly Public Safety Committee</b>

<b>AB 2739</b> <b>Chan</b>	<b><u>Health Care Coverage: Multilingual Information and Services</u></b>  Would have required managed care plans contracting with the State Department of Health Services for the provision of services under the Medi-Cal program, and health care plans contracting with the Managed Risk Medical Insurance Board for the provision of services under the Healthy Families Program, as well as the department and the board, to take prescribed actions to provide culturally and linguistically appropriate services to recipients of services under these programs.  In his veto message, the Governor stated that while he supported efforts to ensure that government services appropriately account for the many languages spoken in California, he preferred such requirements to remain in the purview of the contracting process, rather than be required by statute.	<b>Vetoed</b>
<b>AB 2872</b> <b>Thomson</b>	<b><u>Healing Arts: Physicians and Surgeons</u></b>  See Page (B19)	<b>Enacted</b> <b>Chapter #1136</b>
<b>SB 577</b> <b>Burton</b>	<b><u>Health: Complementary and Alternative Health Care Practitioners</u></b>  See Page (B19)	<b>Enacted</b> <b>Chapter #820</b>
<b>SB 604</b> <b>Vasconcellos</b>	<b><u>Health Care Service Plans and Disability Insurers</u></b>  Would have created the Health and Wellness Promotion Advisory Subcommittee under the Clinical Advisory Panel in the Department of Managed Health Care. The duties of this subcommittee would have been to advise and make recommendations to the Legislature pertaining to revisions of medical testing and services deemed by the subcommittee to be appropriate for the health promotion benefit required by the bill and to set and annually augment the maximum payment to providers for required testing and services.	<b>Failed</b> <b>Assembly</b> <b>Health</b> <b>Committee</b>
<b>SB 1092</b> <b>Sher</b>	<b><u>Health Care Service Plans</u></b>  Requires the adoption of regulations by the Director of the State Department of Managed Health Care (DMHC) to establish the Consumer Participation Program, which would allow the awarding of reasonable advocacy and witness fees to any person who meets specified criteria who has made a substantial contribution on behalf of consumers to the adoption of any regulation, order or decision made by the director. Requires DMHC to report to the Legislature by March 1, 2004, and annually thereafter. Sunsets these provisions January 1, 2007.	<b>Enacted</b> <b>Chapter #792</b>
<b>SB 1162</b> <b>Polanco</b>	<b><u>University of California: Charles R. Drew/UCLA Undergraduate Medical Education Program</u></b>  See page (B19)	<b>Enacted</b> <b>Chapter #1140</b>

<b>SB 1230</b> <b>Alpert</b>	<b><u>Human Cloning</u></b>  Makes the temporary ban on human cloning, due to expire on January 1, 2003, permanent, and extends the ban to include human reproductive cloning, as defined. The bill also creates an advisory committee to advise the Legislature and the Governor on human cloning and related human biotechnology issues, and to report on its activities on December 31, 2003, and yearly thereafter.	<b>Enacted</b> <b>Chapter #821</b>
<b>SB 1272</b> <b>Ortiz</b>	<b><u>Stem Cells: Human Tissue: Research</u></b>  Would have declared that the policy of the state shall be that research involving the derivation and use of human embryonic stem cells, human embryonic germ cells, and human adult stem cells, including somatic cell nuclear transplants, shall be permitted as specified. It would have authorized a donation of a human embryo pursuant to specific requirements and would prohibit the purchase or sale of embryo or cadaveric fetal tissue for research purposes.	<b>Died in</b> <b>Assembly</b> <b>Health</b> <b>Committee</b>
<b>SB 1301</b> <b>Kuehl</b>	<b><u>Reproductive Privacy Act</u></b>  Deletes various obsolete statutory provisions regarding abortion and enacts in their place the Reproductive Privacy Act. The Act provides, among other things, that (1) every individual possesses a fundamental right of privacy with respect to reproductive decisions; and (2) the state shall not deny or interfere with a woman's right to choose an abortion prior to viability of the fetus, as defined in the Act.	<b>Enacted</b> <b>Chapter #385</b>
<b>SB 1324</b> <b>Ortiz</b>	<b><u>Medical Evidentiary Examinations</u></b>  Makes changes in the law concerning the establishment of hospital-based centers for training medical personnel on how to perform medical evidentiary examinations of victims of physical or sexual child abuse or neglect, sexual assault, spousal abuse and elder abuse, including reducing the mandate for two centers, one each in northern and southern California, to one center statewide, as specified.	<b>Enacted</b> <b>Chapter #256</b>
<b>SB 1344</b> <b>Haynes</b>	<b><u>Health Care: Denial of Desired Life-Sustaining Health Care</u></b>  Would have required the Health and Human Services Agency to convene a work group consisting of specified members, subject to obtaining private or federal funds for this purpose. Would have required the work group to obtain a copy of the policies of California health care institutions pertaining to the denial of desired life-sustaining health care and to conduct a study of various issues regarding the implementation of those policies based on a 30% sampling of health care providers. The work group would have been required to report its findings and recommendations on designated issues to the Legislature prior to January 1, 2004, and would have limited the total cost of the study to not more than \$280,000 over a 2-year period.	<b>Died in</b> <b>Assembly</b> <b>Appropriations</b> <b>Committee</b>
<b>SB 1379</b> <b>O'Connell</b>	<b><u>Speech-Language Pathologists: Endoscopies</u></b>  See page (B35)	<b>Enacted</b> <b>Chapter #485</b>

**SB 1411**  
**Speier**

**Health Care Coverage: Maternity Services**

**Enacted**  
**Chapter #880**

Prohibits a health care service plan and a disability insurer from imposing a copayment or deductible for health care or health insurance for specified maternity services that exceeds the most common amount of the copayment or deductible imposed for services provided for other covered medical conditions.

**SB 1557**  
**Battin**

**Human Cloning**

**Failed Senate**  
**Health &**  
**Human**  
**Services**  
**Committee**

Would have defined “clone a human being” to mean engaging in human asexual reproduction, accomplished by introducing nuclear material from one or more human somatic cells into a fertilized or unfertilized oocyte, which has had its nuclear material removed or inactivated, so as to produce a living organism, at any stage of development, that is genetically virtually identical to an existing or previously existing human organism. Would have prohibited human reproductive cloning and therapeutic cloning. Would have established criminal penalties for violations of up to \$1,000,000 for corporations, firms, clinics, hospitals, laboratories, or research facilities and \$250,000 for individuals.

**SB 1809**  
**Machado**

**Clinical Laboratories**

**Enacted**  
**Chapter #356**

Creates a new licensee category for medical laboratory technician. Requires the Department of Health Services to issue a medical laboratory technician license to each person who pays the license fee and meets specified licensure requirements. Also requires the department to adopt emergency regulations to implement licensure of medical laboratory technicians as soon as possible, and authorizes the department to establish licensing and renewal fees that do not exceed the costs of the department for the program.

The Governor’s signing message directed the department to use existing personnel and resources for implementation of this bill.

**SB 1907**  
**Murray**

**Healing Arts: Referrals**

**Enacted**  
**Chapter #309**

See page (B19)

**SB 2027**  
**Figueroa**

**Hospital Licensing**

**Vetoed**

Would have prohibited the State Department of Health Services from issuing a license for a new general acute care hospital that would be located within the boundaries of a local health care district, unless the hospital seeking licensure agrees to maintain and operate emergency services, and does not limit its inpatient services to surgical services or invasive diagnostic and treatment procedures.

In his veto message, the Governor said that although this bill would have helped one hospital, it could potentially have a negative impact on surrounding hospitals.

## (7) INSURANCE

<b>AB 5 Calderon</b>	<b><u>Insurance Rates: Credit Ratings</u></b>  Would have prohibited insurers from using credit ratings, credit reports, credit scoring models, or credit information to underwrite, classify, or rate certain automobile and property insurance policies. Would have also prohibited an insurer from refusing to issue those policies, or from non-renewing or canceling those policies, based upon credit grounds.	<b>Died in Senate Insurance Committee</b>
<b>AB 264 Correa</b>	<b><u>Specialty-Trade Contractors</u></b>  See Page (B9)	<b>Enacted Chapter #311</b>
<b>AB 1488 Chavez</b>	<b><u>Insurance Premiums</u></b>  Would have required the Insurance Commissioner to permit an optional rating factor of persistency based upon the persistent purchase of insurance from any insurer, and require the factor to be further implemented through regulation. This bill is similar to SB 689 (Perata, 2002), which was vetoed by Governor Davis.	<b>Failed on Senate Floor</b>
<b>AB 1874 Horton</b>	<b><u>Insurance: License Renewal</u></b>  Specifies the license renewal process for rental car agents and credit insurance agents. This bill was sponsored by the Department of Insurance.	<b>Enacted Chapter #108</b>
<b>AB 1902 Reyes</b>	<b><u>Automobile Insurance: Damaged Child Safety Restraint Systems</u></b>  Requires insurers to determine whether a child passenger restraint system was in use by a child during an accident and was damaged, and to replace the child passenger restraint system.	<b>Enacted Chapter #703</b>
<b>AB 1978 Diaz</b>	<b><u>Insurance: Personal Liability Insurance</u></b>  Would have authorized insurers to offer a discount on the coverage against liability for the payment of the premium charge for workers' compensation coverage to an insured if the insured makes specified representations and agrees to reimburse the insurer for the payment of any workers' compensation payments.	<b>Died in Assembly Insurance Committee</b>
<b>AB 2007 Calderon</b>	<b><u>California Insurance Guarantee Association</u></b>  Extends the two percent maximum surcharge on insurance premiums payable to California Insurance Guarantee Association for the purpose of funding payments to injured workers and other insured losses caused by insolvent insurance companies through 2007. The maximum surcharge will be lowered to one percent, beginning in 2008. See similar bill SB 2093 (Speier, Ch. 899, Statutes of 2002), on page (A7).	<b>Enacted Chapter #431</b>
<b>AB 2012 Frommer</b>	<b><u>Insurance</u></b>  Specifies that a warranty agreement offered by the warrantor of a vehicle protection product in connection with the sale of that product is an express warranty and not automobile insurance if certain requirements are met.	<b>Enacted Chapter #749</b>



<b>AB 2142 Chavez</b>	<b><u>Financial Guaranty Insurance</u></b> Exempts certain obligations, such as asset-backed and mortgage-backed securities, from the requirement that at least 95 percent of a financial guaranty insurer's total net liability be investment grade.	<b>Enacted Chapter #84</b>
<b>AB 2169 Chavez</b>	<b><u>Insurance: Annuities</u></b> Would have reduced the minimum legal rate of interest payable to those who purchase deferred annuities during 2003 or 2004 by 50% (to 1%) during the life of the contract.	<b>Died in Senate Insurance Committee</b>
<b>AB 2354 Dutra</b>	<b><u>Incorporated Insurers: Derivative Transactions</u></b> Repeals existing law that authorizes a domestic incorporated insurer to make specified investments that are traded on a regulated exchange or board of trade. Instead, AB 2354 enacts new provisions to authorize an insurer to engage in derivative transactions, as defined, subject to specified conditions.	<b>Enacted Chapter #520</b>
<b>AB 2778 Calderon</b>	<b><u>Insurance</u></b> Allows an insurer to make a significant change to the mutual fund investment options offered in connection with a variable annuity contract without prior approval or acknowledgement of the Insurance Commissioner. Also raises life insurance policies covering funeral or burial expenses sold by life agents with limited licenses from \$10,000 to \$15,000.	<b>Enacted Chapter #347</b>
<b>AB 2816 Shelley</b>	<b><u>Workers' Compensation: Contractors: Temporary Labor</u></b> See Page (B9)	<b>Enacted Chapter #1098</b>
<b>AB 2856 Chavez</b>	<b><u>Communications Equipment Insurance Agent License</u></b> Creates a limited insurance license issued by the Insurance Commissioner for the offer and sale of insurance in connection with, and incidental to the sale or lease of communications equipment.	<b>Enacted Chapter #437</b>
<b>AB 2911 Vargas</b>	<b><u>Regulated Service Contract Providers</u></b> Would have required the Insurance Commissioner to register and regulate certain providers that sell service contracts. Would have authorized these regulated providers to sell service contracts when specified conditions are met.	<b>Died in Senate Insurance Committee</b>
<b>AB 2959 Horton</b>	<b><u>Insurance</u></b> Would have required agents or representatives representing insurers in an insurer group to provide good driver coverage at the lowest rates applicable within the insurer group.	<b>Died in First House</b>

<b>AB 2984</b> <b>Committee on Insurance</b>	<b><u>Depository Institutions: Production Agencies: Surplus Line Brokers: Reinsurance Intermediaries</u></b>  Implements the California Department of Insurance alternative to the National Association of Insurance Commissioners Model Act for achieving national reciprocity under the federal Gramm-Leach-Bliley Act. Establishes provisions regulating retail sales practices, solicitations, advertising, and offers of any insurance product or annuity to a consumer by or on behalf of a depository institution.	<b>Enacted</b> <b>Chapter #203</b>
<b>AB 3023</b> <b>Committee on Insurance</b>	<b><u>Insurance: Unfair Practices</u></b>  Authorizes administrative law judges (ALJs) from the Department of Insurance to hear cases involving allegations of unfair competition or unfair practices under the Insurance Code. Ensures that these ALJs are insulated from supervision by either the legal branch of the Insurance Department or the Insurance Commissioner.	<b>Enacted</b> <b>Chapter #709</b>
<b>SB 170</b> <b>Escutia</b>	<b><u>Insurers: Data Call: Enforcement</u></b>  Establishes civil penalties for the failure to comply with specified data calls (i.e., requests for data from insurers) required by the State Department of Insurance. Imposes a civil penalty of up to \$5,000 for each 30-day period that an insurer is not in compliance.	<b>Enacted</b> <b>Chapter #1076</b>
<b>SB 180</b> <b>Speier</b>	<b><u>Proof of Insurance: Vehicles</u></b>  Extends the operative date from January 1, 2004, until January 1, 2007, on repeal provisions which otherwise exempts the County of Los Angeles and the City and County San Francisco from the vehicle proof of insurance requirements.	<b>Enacted</b> <b>Chapter #666</b>
<b>SB 689</b> <b>Perata</b>	<b><u>Auto Insurance</u></b>  Would have required the Insurance Commissioner to permit an optional rating factor of persistency based upon the persistent purchase of insurance from an existing insurer or its affiliate, as well as any other insurer (portable persistency).	<b>Vetoed</b>
<b>SB 1427</b> <b>Escutia</b>	<b><u>Low-Cost Automobile Insurance</u></b>  Extends the sunset date of the low-cost auto (LCA) insurance pilot program; effective March 1, 2003, reduces the price of the LCA insurance policies; modifies the eligibility requirements; requires agents to inform potential LCA insurance policyholders of the availability of LCA insurance if the consumer requests a minimum or basic limits policy; and requires the Insurance Commissioner (IC) to annually prepare a plan for the Legislature on how the IC intends to inform eligible households of the availability of LCA insurance.	<b>Enacted</b> <b>Chapter #742</b>
<b>SB 1648</b> <b>Speier</b>	<b><u>Insurance</u></b>  Would have prohibited an insurer from having an ownership interest in an auto body shop (shop). Would have provided for divestment of ownership if existing upon the effective date of the act, and would have made it unlawful for an insurer to reward a person for referring an insured to a shop owned, in whole or part, by the insurer.	<b>Failed on</b> <b>Assembly Floor</b>

<b>SB 1679 Polanco</b>	<p><b><u>Insurance</u></b></p> <p>Would have required insurers to report community investments in their annual report to the Insurance Commissioner. Would have authorized the Department of Insurance to recognize in public announcements any insurer that invests at least 1/3 of one percent of California direct written premiums in community investments. Insurers that have been recognized by the Department would have been allowed to advertise that achievement.</p>	<b>Died in Senate Appropriations Committee</b>
<b>SB 1861 Alarcon</b>	<p><b><u>Insurance</u></b></p> <p>Would have authorized the Insurance Commissioner to require insurers to annually report information regarding all community development investments and certain philanthropic grants made in California.</p>	<b>Died in Assembly Insurance Committee</b>
<b>SB 1880 Machado</b>	<p><b><u>Insurance: Multiple Employer Welfare Arrangements</u></b></p> <p>Eliminates a sunset in existing law, thereby continuing state regulation of Multiple Employer Welfare Arrangements (MEWAs). The existing statute increases the amount of cash surplus MEWAs are required to maintain in order to be eligible for certification. Additionally the statute requires MEWAs to file, annually, with the State Insurance Commissioner an actuarial opinion that satisfies certain requirements.</p>	<b>Enacted Chapter #357</b>
<b>SB 1972 Polanco</b>	<p><b><u>Insurance: Surplus Lines</u></b></p> <p>See page (B8)</p>	<b>Died at Assembly Desk.</b>
<b>SB 1974 Polanco</b>	<p><b><u>Insurance Policies</u></b></p> <p>Allows the State Insurance Commissioner to approve insurance policies and associated materials in a foreign language provided, among other things, the "official" version of these documents is in English.</p>	<b>Enacted Chapter #358</b>
<b>SB 1978 Speier</b>	<p><b><u>Insurance Commissioner: Contributions</u></b></p> <p>Would have prohibited a person licensed by the Insurance Commissioner, an officer or director of a person licensed by the Insurance Commissioner, and a person or committee, acting on behalf of a licensed person, from making a campaign contribution to the Insurance Commissioner, to any candidate for that office, or to any committee established or controlled by a candidate for the office of Insurance Commissioner for the purpose of electing that candidate to that office. Would have allowed an individual who is licensed by the Insurance Commissioner or who is an officer or director of a person licensed by the Insurance Commissioner to voluntarily make a contribution up to \$500 per election from that individual's personal funds.</p>	<b>Died in Assembly Elections, Reapportionment &amp; Constitutional Amendments Committee</b>
<b>SB 1990 Burton</b>	<p><b><u>Insurers: Rate Approval Process</u></b></p> <p>Would have required the Department of Insurance, in consultation with insurers and consumer groups, to conduct a study of the rate approval process relative to improving the expeditiousness of the rate approval process while ensuring sufficient opportunity for adequate review by the department. Would have required the department to report its findings to the Legislature on or before November 1, 2003.</p>	<b>Died in Senate Insurance Committee</b>

<b>SB 2034</b> <b>Machado</b>	<b><u>Architects: Settlement or Arbitration Awards</u></b>  See page (B3)	<b>Failed Senate Business &amp; Professions Committee</b>
<b>SB 2076</b> <b>Bowen</b>	<b><u>Vehicles</u></b>  See Page (A1)	<b>Enacted Chapter #826</b>
<b>SB 2093</b> <b>Speier</b>	<b><u>Insolvency</u></b>  Requires underwriters of defunct title companies to pay their pro rata share of Department of Insurance expenses. Additionally, the statute eliminates the use of surety bonds in lieu of deposits, to be used as a deposit by workers' compensation insurers.	<b>Enacted Chapter #899</b>

## (8) INTERNET/ e-COMMERCE/ e-GOVERNMENT

<b>AB 1814</b> <b>Reyes</b>	<b><u>Internet Service Providers: Notice of Service Termination</u></b>  Would have required Internet Service Providers (ISPs) to give customers at least 30-day advanced written notice before terminating service or transferring customers to another ISP.	<b>Vetoed</b>
<b>AB 2544</b> <b>Campbell, Bill</b>	<b><u>Contractors: Home Improvement Salespersons</u></b>  See page (B9)	<b>Enacted Chapter #372</b>
<b>SB 1240</b> <b>Figueroa</b>	<b><u>Advertising</u></b>  See Page (A2)	<b>Enacted Chapter #319</b>

## (9) MISCELLANEOUS CONSUMER ISSUES

<b>AB 410</b> <b>Salinas</b>	<b><u>Rural Programs</u></b>  Revises the composition and duties of the California Rural Policy Task Force, within the Office of Planning and Research and requires the task force to develop a strategic plan before June 1, 2004.	<b>Enacted Chapter #558</b>
<b>AB 555</b> <b>Dutra</b>	<b><u>Common Interest Development Managers</u></b>  Provides title protection to a qualified person who undertakes the management of a common interest development for compensation and who uses the title of "certified common interest development manager".	<b>Enacted Chapter #1116</b>

**AB 643  
Lowenthal**

**Common Interest Developments: Community Association Assessments**

**Enacted  
Chapter #1117**

Requires all common interest development (CID) associations to file with the Secretary of State a document of specified information about the CID, including the address and either a daytime phone number or the e-mail address of the president of the association and the name, address and daytime phone number of the association's managing agent. Also authorizes the Secretary of State to charge a fee not to exceed \$30.

**AB 875  
Horton**

**Auctioneers and Auction Companies**

**Died in Senate  
Business &  
Professions  
Committee**

Would have enacted the Auctioneer and Auction Company Registration Act (Act). Would have provided that auctioneers and auction companies must register with the county clerk of the county in which the auctioneer or auction company has its principal place of business, and in which the auctioneer or auction company maintains a branch office.

**AB 1170  
Firebaugh**

**Housing: Downpayment Assistance**

**Enacted  
Chapter #724**

Establishes the Building Equity and Growth in Neighborhoods (BEGIN) Program and (BEGIN) Fund, which assists qualifying new homebuyers to make downpayments. Its provisions are predicated upon the enactment of the Housing and Emergency Shelter Trust Act Fund of 2002 which was passed by the voters on November 5, 2002.

**AB 1433  
Horton**

**Military Service: Benefits**

**Enacted  
Chapter #60**

Provides protections for members of the National Guard or reservists of the United States Military Reserve during their period of military service with respect to, among other things, court proceedings, contract obligations, rental agreements, taxes or assessments, and health or medical insurance.

**AB 1701  
Steinberg**

**Common Interest Developments: Construction and Design Defects**

**Failed Senate  
Judiciary  
Committee**

Would have: 1) Corrected the term "facility" to "facilitator", 2) Corrected the term "proceedings" to "proceeding", 3) Clarified that the term notice in subsection (2) of Section 1375 of the Civil Code means Notice of Commencement of Legal Proceeding to avoid confusion with the several other notice requirements in the section, and 4) Defined *construction defect* to mean a defect in design, materials, or workmanship that occurs during the original construction, or in connection with any warranty repair work, and as it applies in the case of a common interest development, includes construction or repair work in all common areas.

**AB 1866  
Wright**

**Housing: Density Bonuses**

**Enacted  
Chapter #1062**

Requires local governments to use a ministerial process for approving second housing units. Prohibits them from applying any development standard that will have the effect of excluding an affordable housing development from receiving a density bonus and concessions.

**AB 1926  
Horton**

**Housing: Discrimination**

**Enacted  
Chapter #803**

Allows any person holding a recorded interest in property containing an unlawfully discriminatory restrictive covenant to strike the covenant upon application to the county recorder's office.

<b>AB 2009 Nakano</b>	<b><u>Swap Meets, Flea Markets, and Open-Air Markets</u></b>  Redefines the term “swap meet” to include open air market and flea market and creates special reporting requirements for vendors and operators of swap meets who sell or display new merchandise.	<b>Enacted Chapter # 334</b>
<b>AB 2086 Bogh</b>	<b><u>Consumer Goods: Warranties: Service and Repair Facilities</u></b>  See page (B12)	<b>Died in Senate Judiciary &amp; Business &amp; Professions Committee</b>
<b>AB 2289 Kehoe</b>	<b><u>Common Interest Developments</u></b>  Makes changes to the procedures used by homeowner associations in regard to collecting delinquent assessments.	<b>Enacted Chapter #1111</b>
<b>AB 2330 Migden</b>	<b><u>Landlord and Tenant</u></b>  Specifies parameters for landlords’ handling of tenants’ security deposits and requires landlords to inspect properties prior to a tenant’s move-out date. Furthermore, allows tenants to know exactly what repairs and/or maintenance is required to receive a full refund of their security deposit by requiring landlords to specify in writing after the initial inspection of the dwelling.	<b>Enacted Chapter #1061</b>
<b>AB 2331 Wayne</b>	<b><u>Waivers: Consumer Protection Statutes</u></b>  Protects consumers from being defrauded by businesses that convince them to waive their rights guaranteed under various consumer protection statutes by declaring that the waiver of existing consumer protection statutes is void and unenforceable. Adds these anti-waiver provisions to 21 consumer protection statutes regarding, among other things, credit card disclosures, debit cards, credit discrimination, consumer reporting agencies, fair debt collection, gift certificates, supermarket club cards, confidentiality of social security numbers, and destruction and disposition of customer records containing personal information.	<b>Enacted Chapter #815</b>
<b>AB 2344 Correa</b>	<b><u>Pawnbrokers</u></b>  Permits pawnbrokers to store pawned property off premises and makes various conforming changes to accommodate off-premise storage of pawned goods. Provides pawnbrokers with greater flexibility in payment options and in delivery options for the notice of loan expiration. Clarifies what types of fees are permissible in loan extensions.	<b>Enacted Chapter #404</b>
<b>AB 2379 Frommer</b>	<b><u>Department of Justice Secondhand Dealer Web site</u></b>  Requires a secondhand dealer, coin dealer, or pawn broker to make all required transaction reports to the Department of Justice Secondhand Dealer Web Site, beginning 12 months after the web site becomes fully operational, rather than to the chief of police or the sheriff. Requires a fingerprint taken by a secondhand dealer or coin dealer of an intended seller to be retained for three years. Requires a secondhand dealer or coin dealer to retain hard copies of any required reports for three years.	<b>Died in Assembly Appropriations Committee</b>

<b>AB 2417</b> <b>La Suer</b>	<b><u>Common Interest Developments: Meetings</u></b>  Requires any matters discussed in executive session of a common interest development be generally noted in the next meeting open to all members of the association and also specifies that attorney-client communications may be discussed in closed executive sessions.	<b>Enacted</b> <b>Chapter #195</b>
<b>AB 2545</b> <b>Nation</b>	<b><u>Housing Code Inspections</u></b>  See Page (A2)	<b>Failed Senate</b> <b>Housing &amp;</b> <b>Community</b> <b>Development</b>
<b>AB 2546</b> <b>Nation</b>	<b><u>Common Interest Developments: Marketing and Sales</u></b>  Prohibits a common interest development from promulgating a rule or regulation that arbitrarily or unreasonably restricts an owner's ability to market his/her separate interest. Also prohibits an association from imposing a fee that exceeds the actual or direct costs for the service provided in connection with the marketing of an owner's separate interest.	<b>Enacted</b> <b>Chapter #817</b>
<b>AB 2822</b> <b>Chavez</b>	<b><u>Carnival Ride Operators</u></b>  Would have regulated the industry of carnival ride operators, as defined, by providing specific requirements that employers of carnival ride operators must implement with regard to carnival ride operator wages, hours, breaks, tools, and working conditions. The bill would have established specified penalties for employers who fail to comply with these provisions.	<b>Failed in</b> <b>Assembly</b> <b>Labor &amp;</b> <b>Employment</b> <b>Commission</b>
<b>AB 2853</b> <b>Diaz</b>	<b><u>State Employees: Engineers: Salary Parity</u></b>  See Page (B13)	<b>Vetoed</b>
<b>AB 3038</b> <b>Judiciary</b> <b>Committee</b>	<b><u>Landlord and Tenant</u></b>  Would have made technical, nonsubstantive changes to law that requires that a building intended for human occupation, in the absence of an agreement to the contrary, be tenantable and fit for human habitation.	<b>Died on</b> <b>Assembly Floor</b>
<b>SB 91</b> <b>Figueroa</b>	<b><u>Vehicles: Dealers: Prohibited Activities</u></b>  See Page (A1)	<b>Enacted</b> <b>Chapter #407</b>
<b>SB 371</b> <b>Escutia</b>	<b><u>Courts: Interpreters</u></b>  See Page (C2)	<b>Enacted</b> <b>Chapter #1047</b>
<b>SB 384</b> <b>Burton</b>	<b><u>Gas Appliance Safety</u></b>  See page (A5)	<b>Failed First</b> <b>House</b>
<b>SB 500</b> <b>Torlakson</b>	<b><u>Retail Merchandise Utilities and Cable Television: Delivery Service and Repair: Times</u></b>  See Page (A2)	<b>Enacted</b> <b>Chapter #279</b>

<b>SB 617 Ortiz</b>	<b><u>Tenancy: Terminations</u></b>  Would have provided tenants who had been subjected to notices of mass eviction without additional time to relocate and find suitable replacement housing. The provisions of this bill would have applied retroactively to February 1, 2002 and sunset in January 1, 2005.	<b>Died on Assembly Floor</b>
<b>SB 774 Margett</b>	<b><u>Recreational Vehicles</u></b>  See Page (A1)	<b>Failed in Assembly Appropriations Committee</b>
<b>SB 1210 Romero</b>	<b><u>Live Animal Exhibition: Local Notification</u></b>  Sought to enhance public safety relating to escaped animals by requiring any traveling circus or carnival to provide local animal control services with: 1) a plan for the recapture or destruction of an escaped animal; 2) a list of names and credentials for its animal keepers; and 3) a list of animals it intends to exhibit, including any previous history of incidents of escape and/or injuries to humans associated with any animal being exhibited.	<b>Failed on Senate Floor</b>
<b>SB 1353 Perata</b>	<b><u>Harbors: Monterey Bay and the Bays of San Francisco, San Pablo, and Suisun: Pilotage Rates</u></b>  This statute is the periodic update of the incremental changes in the rates and special surcharges that bar pilots impose on vessels that move in and out of the bays of San Francisco, San Pablo, Suisun and specified inland tributaries. The provisions will sunset as of January 1, 2006.	<b>Enacted Chapter #765</b>
<b>SB 1383 Bowen</b>	<b><u>Electronic Mail: Service Providers</u></b>  Would have required electronic mail service providers to provide customers with 30 days notice prior to terminating the customer's service. Would have preempted all local government entity rules and regulations regarding notice of electronic mail termination and would have become inoperative if federal law were to be enacted on this issue.	<b>Died in Assembly Judiciary Committee</b>
<b>SB 1403 Kuehl</b>	<b><u>Landlord-Tenant</u></b>  Requires landlords to give long-term tenants 60 days notice when terminating a month-to-month tenancy. Also requires landlords to provide tenants with written notice before entering a tenant's residence, except in an emergency or when the tenant has abandoned or surrendered the residence. Closes loopholes in the existing rent control law.	<b>Enacted Chapter #301</b>
<b>SB 1571 Ackerman</b>	<b><u>Common Interest Developments: Plans: Amendments &amp; Revocations</u></b>  Would have permitted a condominium plan to be amended or revoked by a subsequent recorded instrument executed by 2/3 of the persons whose signatures are required pursuant to specified provisions.	<b>Failed in Senate Housing &amp; Community Development Committee</b>



<b>SB 1576</b> <b>Bowen</b>	<b><u>Landlords: Disclosure of Demolitions</u></b>  Requires the owner or landlord of a residential dwelling unit who has applied to a public agency for a permit to demolish that dwelling unit to give written notice of the impending demolition to a current tenant, and to any prospective tenant prior to the execution of a rental agreement.	<b>Enacted</b> <b>Chapter #285</b>
<b>SB 1601</b> <b>Bowen</b>	<b><u>Cellular Telecommunications Service</u></b>  Would have required that providers of cellular radiotelephone service extend a minimum 14-day grace period to new customers during which the customer could have rescinded the agreement, without cost or penalty, if the customer found that the cellular service quality was unsatisfactory, except that the customer would have been required to pay for those services used prior to the cancellation of the agreement. Would further have required that providers of cellular radiotelephone service provide notice to consumers of these rights. Also would have excepted commercial accounts and contracts where customers were not required to purchase more than one month of service, from these requirements.	<b>Died on Senate</b> <b>Floor</b>
<b>SB 1765</b> <b>Bowen</b>	<b><u>Warranty Cards and Product Registration Cards</u></b>  Requires warranty or product registration cards or forms, including online forms, to disclose that they are for product registration and that failure to return the form does not diminish the purchaser's warranty rights. Also prohibits the cards from being labeled warranty registration or warranty confirmation. Becomes effective January 1, 2004, but does not apply to cards that were printed and included in merchandise prior to January 1, 2004.	<b>Enacted</b> <b>Chapter #306</b>
<b>SB 1779</b> <b>Burton</b>	<b><u>Damages: Childhood Sexual Abuse: Statute of Limitations</u></b>  Extends retroactively the statute of limitations in childhood sexual abuse cases against a third party when the third party knew or had reason to know of complaints against an employee or agent for unlawful sexual conduct and failed to take reasonable steps to avoid similar unlawful conduct by that employee or agent in the future. Including preventing placement of that person in a function in which contact with children is an inherent part.	<b>Enacted</b> <b>Chapter #149</b>
<b>SB 1780</b> <b>Escutia</b>	<b><u>Courts: Domestic Violence: Interpreters</u></b>  Would have required the appointment in domestic violence proceedings, as specified, and in other settings mandated by the court, of an interpreter for a person who is deaf or hearing impaired as well as the appointment of a foreign language interpreter for a person not proficient in English. It would have required certified or registered sign language interpreters in these proceedings; and would limit the services of foreign language interpreters to certified or registered interpreters.	<b>Failed in</b> <b>Senate</b> <b>Appropriations</b> <b>Committee</b>
<b>SB 1821</b> <b>Dunn</b>	<b><u>Assisted Housing</u></b>  Clarifies that tax-credit financed units are subject to notice and sale requirements. The statute also makes technical amendments to other unrelated statutes.	<b>Enacted</b> <b>Chapter #1038</b>

**SB 1843**  
**Committee on**  
**Budget and**  
**Fiscal Review**

**State and Local Government**

**Died on**  
**Assembly Floor**

Would have enacted the Cigarette and Tobacco Products Licensing Act of 2002; establishing licensing requirements for cigarette and tobacco products retailers, wholesalers and importers; creating enhanced cigarette tax compliance and enforcement program; revising the cigarette "distributor discount" for applying tax stamps; appropriating funds to implement the program in 2002-03; and establishing an ongoing funding mechanism for the program.

**SB 1891**  
**Perata**

**Bicycle Theft: Internet Registration**

**Vetoed**

Would have authorized an Internet bicycle registration service to register bicycles and issue bicycle licenses. A bicycle registered with a service, established in an appropriate ordinance or resolution by a city or county, would have been considered registered and licensed in accordance with existing law.

**(10) NEW/PROPOSED REGULATORY PROGRAMS**

No bills introduced in the 2002 legislative session

**(11) PRIVACY/IDENTITY THEFT**

**AB 21**  
**Leslie**

**Financial Privacy: Opt-Out**

**Failed**  
**Assembly**  
**Judiciary**  
**Committee**

See Page (A4)

**AB 203**  
**Jackson**

**Financial Privacy: Opt-In**

**Failed**  
**Assembly**  
**Banking and**  
**Finance**  
**Committee**

See Page (A4)

**AB 700**  
**Simitian**

**Personal Information: Breach of Security Disclosure**

**Enacted**  
**Chapter #1054**

Effective July 1, 2003, requires any state agency, person or business doing business in California that owns or licenses computerized data systems containing personal information to expediently notify California residents whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person. Allows a delay in consumer notification for the entity to investigate and restore integrity to the system, or if law enforcement determines the notification would impede a criminal investigation. Provides alternative low-cost notice options (posting on a website and notifying major statewide media) if the cost to notify consumers exceeds \$250,000 or if there are over 500,000 consumers subject to the notification. Also creates two "safe harbors" for entities that encrypt the personal information contained in their data systems or that utilize their own expedient notification procedures as part of an information security policy.

**AB 784**  
**Hertzberg**

**Privacy Protection: Customer Records**

See Page (A2)

**Died in Senate  
Local  
Government  
Committee**

**AB 1010**  
**Dutra**

**DMV Website: Identity Theft Information**

Would have expanded the consumer protection information posted on the Department of Motor Vehicles' Internet website to assist consumers who plan to purchase or have purchased a vehicle to include contact information for government, law enforcement, and consumer agencies that assist victims of identity theft. This bill was substantially amended by Assembly Member Correa on August 19, 2002 and the enacted statute no longer pertains to DCA.

**Enacted  
Chapter #688**

**AB 1155**  
**Dutra**

**Identity Theft: Criminal Penalties**

Creates a new misdemeanor crime for anyone who obtains or assists in obtaining a fraudulent Department of Motor Vehicle document (driver's license, identification card, etc.) when that person is not entitled to the document. Also creates an enhanced fine of up to \$25,000 for individuals who receive a felony conviction for conspiring to commit identity theft.

**Enacted  
Chapter #907**

**AB 1219**  
**Simitian**

**Identity Theft: Criminal Procedure**

Revises existing law relating to judicial determinations of factual innocence for identity theft victims whose names have been mistakenly associated with a criminal record. Increases convenience for identity theft victims by permitting the prosecutor or court to file a motion for an expedited judicial determination of factual innocence, instead of requiring the victim to file the motion themselves as required under existing law. Also allows a court to order the victim's name and personal identifying information contained in court records, files, and public indexes to be deleted, sealed, or labeled to show that the victim's data was impersonated.

**Enacted  
Chapter #851**

**AB 1474**  
**Koretz**

**Driver's License and Identification Card Fee Increase: Identity Theft**

Would have required the Department of Motor Vehicles to create a fingerprint identification system based on the fingerprints of those applying for driver's licenses to cross reference them with all other fingerprints in the database in order to ensure that each individual is issued only one driver's license and to stop identity thieves from fraudulently obtaining a driver's license using another person's name. Also would have increased driver's license and identification card fees to fund this system.

**Died in Senate  
Rules  
Committee**

**AB 1754**  
**Leslie**

**Criminal Penalties: Identity Theft Conspiracy**

Would have created a new misdemeanor crime and increased fines for a person, other than a Department of Motor Vehicle employee, to conspire to obtain DMV documents for the purpose of committing identity theft. Would have created a misdemeanor punishable by up to six months in county jail and/or a fine of up to \$50,000 if the person: 1) conspired to obtain an official DMV document (e.g. drivers' license); 2) acted with knowledge that a co-conspirator is not legally entitled to obtain that document; and, 3) intended to use the DMV document to commit identity theft.

**Died in Senate  
Public Safety  
Committee**

<b>AB 1764</b> <b>Wayne</b>	<b><u>False Impersonation: Electronic Mail</u></b>  Would have expanded the definition of false impersonation to include electronic mail (email) and would have made it a misdemeanor for a person to falsely impersonate another by sending an email using the email address of another person or the name of another person with the intent to make the recipient believe that it is from the person falsely personated.	<b>Died in Senate Public Safety Committee</b>
<b>AB 1773</b> <b>Wayne</b>	<b><u>Identity Theft Jurisdiction</u></b>  Assists prosecutors in bringing identity thieves to justice by allowing local prosecutors to prosecute an identity theft case in either the jurisdiction where the information was stolen or the jurisdiction where the defendant used the stolen personal information. Allows multiple offenses committed in multiple jurisdictions by the same defendant using the same stolen information to be prosecuted in any one of those jurisdictions, which would reduce the number of times a victim would have to testify and reduce costs to the state for prosecution.	<b>Enacted Chapter #908</b>
<b>AB 1944</b> <b>Wright</b>	<b><u>Identity Theft: Fingerprint Verification Upon Arrest</u></b>  Would have enhanced protection for criminal identity theft victims by authorizing a peace officer to fingerprint an arrestee when s/he does not have valid identification. If the arrestee gave a false identity to law enforcement, this bill would have given the identity theft victim a means to disprove his or her involvement in the crime by matching their fingerprint with that of the thief's fingerprint taken at arrest, thereby proving that the victim is not the same person as the thief.	<b>Died on Senate Floor</b>
<b>AB 2238</b> <b>Dickerson</b>	<b><u>Public Safety Officials Home Protection Act</u></b>  Enacts the Public Safety Officials Home Protection Act to protect the personal information of public safety officials by prohibiting state or local agencies from posting a public safety official's home address or telephone number on the Internet without the official's written authorization and creates new crimes for violations. Also requires the Department of Justice to chair an advisory task force to determine how to protect a public official's home information and recommend a comprehensive plan to the Legislature by September 1, 2003. The task force is to be comprised of interested state enforcement entities (DOJ, the California Highway Patrol), the Office of Privacy Protection within the Department of Consumer Affairs, the judicial community, the legal community, and various entities related to real estate transactions.	<b>Enacted Chapter #621</b>
<b>AB 2297</b> <b>Simitian</b>	<b><u>Online Privacy and Disclosure Act of 2002</u></b>  Would have enacted the Online Privacy and Disclosure Act of 2002, which would have required online businesses to clearly post and comply with their online privacy policies, and further required the privacy policies to identify the categories of information that it collects about individuals through the Internet and the categories of persons or entities with whom the information is shared.	<b>Vetoed</b>

<b>AB 2456 Jackson</b>	<b><u>Employment of Offenders: Personal Information</u></b>  Expands the list of personal information that prison and county jail inmates and Youth Authority wards are denied access to when performing various duties or employment. Also includes any person assigned to community service in that restriction.	<b>Enacted Chapter #196</b>
<b>AB 2578 Corbett</b>	<b><u>Mail Solicitation: Pre-Acquired Account Marketing</u></b>  Would have prohibited mail solicitations from charging consumers for a product or service unless the consumers expressly consented to purchase the product or service and gave the last four digits of their billing information to the solicitor. This bill was substantially amended by Assembly Member Shelley on August 31, 2002 and the enacted statute no longer pertains to DCA.	<b>Enacted Chapter #1097</b>
<b>AB 2775 Steinberg</b>	<b><u>Telemarketing: Pre-Acquired Account Marketing</u></b>  Would have prohibited telephone solicitors from charging consumers for a product or service unless the consumers expressly consented to purchase the product or service and gave the last four digits of their billing information to the solicitor. This bill was substantially amended by Assembly Member Migden on August 22, 2002 and no longer pertains to DCA.	<b>Died in Senate Judiciary Committee</b>
<b>AB 2832 Shelley</b>	<b><u>Voter Information: Privacy</u></b>  Makes various changes to the Elections Code regarding the privacy of voters' personal information. Among these changes, the bill requires the Secretary of State to appoint a task force to study and recommend appropriate standards for safeguarding voter registration information.	<b>Enacted Chapter #959</b>
<b>AB 2922 Simitian</b>	<b><u>Personal Information: State Agency Record Inventory</u></b>  Would have required the Office of Privacy Protection to create and maintain a State Personal Information Inventory, which would have allowed the public to see what types of personal information the state collects, what the state does with that information, and how an individual can access his or her information.	<b>Vetoed</b>
<b>ACR 125 Papan</b>	<b><u>Financial Privacy Study</u></b>  See Page (A4)	<b>Enacted R-Chapter #167</b>
<b>SB 113 Haynes</b>	<b><u>Pupil and Family Privacy</u></b>  Would have prohibited the physical examination of a pupil under the age of 12 without a parent's consent, prohibited a pupil's Social Security number from being used as a personal identifier, except where required by federal law, and prohibited schools from conducting surveys of pupils.	<b>Failed Senate Education Committee</b>
<b>SB 169 Bowen</b>	<b><u>Biometrics Technology</u></b>  Would have defined biometric identifier and facial recognition technology, and would have set forth the Legislature's intent regarding biometrics technology.	<b>Died in Assembly Judiciary Committee</b>

<b>SB 247 Speier</b>	<b><u>Birth and Death Records: Access to Certified Copies</u></b>  Intends to limit the fraudulent use of birth certificates in identity theft by controlling and limiting the release of and access to birth and death certificates. Limits who can receive certified copies, and requires non-certified copies to be stamped <i><b>“for informational purposes only: not to be used as a basis for proving identity.”</b></i>	<b>Enacted Chapter #914</b>
<b>SB 661 Dunn</b>	<b><u>DMV: Biometric Identifiers</u></b>  Would have required the Department of Motor Vehicles (DMV) to create a biometric identifier from applicants’ fingerprints to ensure that applicants are only issued one driver’s license or identification card. Also would prohibit the DMV from providing this information to any third party.	<b>Died in Senate Transportation Committee</b>
<b>SB 773 Speier</b>	<b><u>Financial Institutions: Confidential Consumer Information</u></b>  See Page (A4)	<b>Failed on Senate Floor</b>
<b>SB 1237 Speier</b>	<b><u>Account Identifier: Mother’s Maiden Name</u></b>  See Page (A4)	<b>Failed in Assembly Business &amp; Professions Committee</b>
<b>SB 1239 Figueroa</b>	<b><u>Consumer Credit Reporting Agencies: Free Credit Reports</u></b>  See Page (A4)	<b>Enacted Chapter #860</b>
<b>SB 1254 Alpert</b>	<b><u>Identity Theft: Criminal Definition</u></b>  Creates a new misdemeanor crime for anyone to possess specified personal identifying information (PII) of another person with the intent to defraud. Also expands the definition of identity theft by expanding what constitutes PII to include additional personal information (i.e., birth/death information), numbers and codes (i.e., tax ID numbers), unique electronic data (i.e., routing codes), and biometric identifiers (i.e., fingerprints).	<b>Enacted Chapter #254</b>
<b>SB 1259 Ackerman</b>	<b><u>Payment Card Theft: Criminal Penalties</u></b>  Creates a new misdemeanor crime to knowingly, and with the intent to defraud, possess or use a scanning device or re-encoder to access or store information encoded on the magnetic strip of a payment card. Also provides for the destruction of the devices and allows for the seizure of various other computer equipment used to store illegally-obtained data.	<b>Enacted Chapter #861</b>

**SB 1386**  
**Peace**

**Personal Information: Breach of Security Disclosure**

**Enacted**  
**Chapter #915**

Effective July 1, 2003, requires any state agency, person or business doing business in California that owns or licenses computerized data systems containing personal information to notify California residents of a security breach when their information was, or is reasonably believed to have been, acquired by an unauthorized person. Allows a delay in consumer notification for the entity to investigate and restore integrity to the system, or if law enforcement determines the notification would impede a criminal investigation. Provides alternative low-cost notice options (posting on a website and notifying major statewide media) if the cost to notify consumers exceeds \$250,000 or if there are over 500,000 consumers subject to the notification. Also creates two "safe harbors" for entities that encrypt the personal information contained in their data systems or that utilize their own expedient notification procedures as part of an information security policy.

**SB 1614**  
**Speier**

**Birth and Death Records: Public Disclosure**

**Enacted**  
**Chapter #712**

Exempts specified birth and death indices from disclosure under the California Public Records Act and requires the State Registrar to establish separate non-comprehensive indices for public release that do not contain Social Security numbers or mother's maiden names. Requires requestors of the indices to provide proof of identity and sign a standard form certifying, under penalty of perjury, that they will comply with prescribed guidelines for use of the indices.

**SB 1730**  
**Bowen**

**Personal Information**

**Enacted**  
**Chapter #786**

See Page (A4)

**(12) TELECOMMUNICATIONS**

**AB 839**  
**Lowenthal**

**Unsolicited Facsimile Transmissions**

**Failed in**  
**Senate**  
**Business &**  
**Professions**  
**Committee**

See Page (A2)

**AB 1769**  
**Leslie**

**Advertising: Unsolicited Cell Telephone and Pager Text Messages**

**Enacted**  
**Chapter #699**

Prohibits the sending of unsolicited or unwanted text messages to cellular phones and pagers.

**AB 2568**  
**Campbell,**  
**John**

**Advertising**

**Failed in**  
**Assembly**  
**Business &**  
**Professions**  
**Committee**

See Page (A2)

**AB 2820**  
**Cardenas**

**Unsolicited Facsimiles**

**Failed in**  
**Senate**  
**Business &**  
**Professions**  
**Committee**

See Page (A2)

<b>AB 2944</b> <b>Kehoe</b>	<b><u>Advertising: Facsimile Machines</u></b>  See Page (A2)	<b>Enacted</b> <b>Chapter #700</b>
<b>AB 2958</b> <b>Wright</b>	<b><u>Telecommunications: Regulatory Framework</u></b>  Would have stated legislative intent to maintain the progress created by the California Public Utilities Commission's new regulatory framework for telecommunications companies.	<b>Failed in Senate</b> <b>Energy, Utilities</b> <b>&amp;</b> <b>Communications</b>
<b>SB 500</b> <b>Torlakson</b>	<b><u>Retail Merchandise Utilities and Cable Television: Delivery Service and Repair: Times</u></b>  See Page (A2)	<b>Enacted</b> <b>Chapter #279</b>
<b>SB 772</b> <b>Bowen</b>	<b><u>Electronic Mail: Service Providers</u></b>  Requires electronic mail service providers to provide customers a 30-day notice prior to terminating her/his electronic mail address without cause. Preempts all local government entity rules and regulations regarding notice of electronic mail termination and becomes inoperative if federal law is enacted on this issue.	<b>Enacted</b> <b>Chapter #783</b>
<b>SB 1258</b> <b>Dunn</b>	<b><u>"Do Not Call" List: Subscription Fee</u></b>  Would have deleted the triennial \$1.00 subscription fee to be charged to consumers for subscribing to the new state "do not call" list that will become operative on January 1, 2003.	<b>Died in Senate</b> <b>Business &amp;</b> <b>Professions</b> <b>Committee</b>
<b>SB 1358</b> <b>Bowen</b>	<b><u>Advertising: Facsimile Machine</u></b>  See Page (A2)	<b>Failed in</b> <b>Assembly</b> <b>Business &amp;</b> <b>Professions</b> <b>Committee</b>
<b>SB 1383</b> <b>Bowen</b>	<b><u>Electronic Mail: Service Providers</u></b>  See Page (A9)	<b>Died in Assembly</b> <b>Judiciary</b> <b>Committee</b>
<b>SB 1560</b> <b>Figueroa</b>	<b><u>"Do Not Call" List: Cleanup Legislation</u></b>  Cleanup legislation to last year's statute that enacted the telemarketing "Do Not Call" list (SB 771, Figueroa, Chapter 695, Statutes of 2001) that clarifies which businesses may obtain the telemarketing "Do Not Call" list free of charge, and clarifies that only the Attorney General (AG) may sell the list and make it a violation to purchase the list from anyone other than the AG. Also extends the implementation date from January 1, 2003 to April 1, 2003.	<b>Enacted</b> <b>Chapter #698</b>
<b>SB 1563</b> <b>Polanco</b>	<b><u>Telecommunications: Services</u></b>  Expands California's codified telecommunications policy declarations, and requires the State Public Utilities Commission to develop a plan for encouraging widespread availability of advanced telecommunications infrastructure.	<b>Enacted</b> <b>Chapter #674</b>



## (13) UTILITIES

**AB 58**  
**Keeley**

**Net Energy Metering**

**Enacted**  
**Chapter #836**

Eliminates a sunset on net-metering authorization to allow net-metering for systems up to one megawatt to continue indefinitely; requires the California Energy Commission (CEC), in administering the “public goods” charge funds, to establish a separate rebate for eligible emerging renewable technologies for affordable housing projects and allows CEC to set reasonable limits on the total amount of funds so dedicated.

**AB 117**  
**Migden**

**Electrical Restructuring: Aggregation**

**Enacted**  
**Chapter #838**

Authorizes utility customers to aggregate their electrical loads as members of their local community with community choice aggregators, as defined, and requires a community choice aggregator to file an implementation plan with the California Public Utilities Commission (PUC) to determine a cost-recovery mechanism to be imposed on the community choice aggregator to prevent a shifting of costs to an electrical corporation's bundled customers. Also requires the PUC to prepare and submit to the Legislature, on or before January 1, 2006, a report on community choice aggregation.

**AB 2228**  
**Negrete**  
**McLeod**

**Public Utilities: Net Energy Metering**

**Enacted**  
**Chapter #845**

Creates a pilot program to provide net energy metering for eligible bio-gas digester customer-generators that enhances the continued diversification of California's energy resource mix and encourages the installation of livestock air emission controls that the State Air Resources Board believes may produce multiple environmental benefits. Also defines an “eligible bio-gas digester customer-generator” and prescribes conditions under which customers may participate in the net energy metering pilot program which sunsets January 1, 2006.

**AB 2432**  
**Pacheco, Rod**

**Public Utilities: Property: Condemnation: Unauthorized Entry**

**Failed in**  
**Assembly**  
**Utilities &**  
**Commerce**  
**Committee**

See Page (A2)

**AB 2663**  
**Wyman**

**Electricity: Baseline Quantities and Rates**

**Failed in**  
**Assembly**  
**Utilities &**  
**Commerce**  
**Committee**

Would have prohibited the California Public Utilities Commission from increasing charges for residential customers for baseline quantities or usage by those customers of up to 130 percent of baseline quantities, to reflect the addition of a separate baseline for average senior residential customers.

**SB 500**  
**Torlakson**

**Retail Merchandise Utilities and Cable Television: Delivery Service and Repair: Times**

**Enacted**  
**Chapter #279**

See Page (A2)

<b>SB 530</b> <b>Sher</b>	<b><u>Renewable Energy</u></b>  Would have reinstated, continued, and modified components of the Renewable Energy Program Investment Plan and the Public Interest Energy Research within the California Public Utility Commission and required the California Energy Commission to use a portfolio approach to achieve the goal of developing renewable energy facilities and markets as part of the state's overall electricity generation network.	<b>Died in Assembly Utilities &amp; Commerce Committee</b>
<b>SB 1270</b> <b>Peace</b>	<b><u>Independent System Operator</u></b>  Would have made a technical, nonsubstantive change to existing law that requires the Independent System Operator to ensure efficient use and reliable operation of the state's electricity transmission grid.	<b>Died in Senate Rules Committee</b>
<b>SB 1282</b> <b>Haynes</b>	<b><u>California Consumer Power and Conservation Financing Authority</u></b>  See Page (A2)	<b>Died on Senate Floor</b>
<b>SB 1330</b> <b>Brulte</b>	<b><u>Gas Corporation: Rates</u></b>  Would have declared the Legislature's intent to enact, in subsequent legislation, a remediation of the rapid inflation of price for natural gas in communities served by the Southwest Gas Company and to provide for the stabilization of natural gas prices in the future.	<b>Failed Senate Energy, Utilities &amp; Commerce Committees</b>
<b>SB 1524</b> <b>Sher</b>	<b><u>Renewable Energy: California Renewables Portfolio Standard Program</u></b>  Would have established the California Renewables Portfolio Standard Program to require that a retail seller of electricity, including electrical corporations, community choice aggregators, local publicly owned electric utilities and electric service providers, purchase a specified minimum percentage of electricity generated by eligible renewable energy resources in any given year as a specified percentage of total kilowatt hours sold to retail end-use customers each calendar year (renewables portfolio standard).	<b>Failed Assembly Energy, Utilities &amp; Commerce &amp; National Resources Committee</b>
<b>SB 1790</b> <b>Bowen</b>	<b><u>Energy Resources</u></b>  Amends legislative findings and declarations related to the State Energy Conservation Assistance Account administered by the State Energy Resources Conservation and Development Commission and states the intent of the Legislature that the energy efficiency measures and programs for which grants and loans may be provided are for existing and planned buildings and facilities. Also requires the California Public Utilities Commission, in consultation with the commission, to develop a program for residential and commercial customer air-conditioning load control.	<b>Enacted Chapter #601</b>